

# JOURNAL OF THE SENATE

Thursday, April 30, 1970

The Senate was called to order by the President at 8:30 a.m. for the purpose of conducting the order of business of Introduction and reference of Resolutions, Memorials, Bills and Joint Resolutions, pursuant to Rule 4.3.

## INTRODUCTION

By Senator Hollahan—

**SB 991**—A bill to be entitled An act relating to dispensing opticians; amending section 484.01, Florida Statutes; providing a purpose and declaration of legislative policy; amending section 484.02, Florida Statutes; defining optical dispensing, dispensing optician, and contact lens optician; amending and renumbering section 484.05, as section 484.03, relating to the membership, powers and duties of the state board of dispensing opticians, creating a medical advisory council to the state board of dispensing opticians, providing for its membership, powers and duties; amending and renumbering section 484.03, Florida Statutes, as section 484.04, providing for the qualification, examination and licensing of dispensing opticians, for the qualification, examination and certification of contact lens opticians; amending and renumbering section 484.04, Florida Statutes as section 484.05, providing for examinations by state board of dispensing opticians and by medical advisory council, and for examination fees; amending and renumbering section 484.08, Florida Statutes, as section 484.06, providing for annual renewal of licenses and certificates, renewal fees, continuing education requirements, compensation and employees of state board and medical advisory council; amending and renumbering section 484.06, Florida Statutes, as section 484.07, making unlawful certain acts relating to optical dispensing; amending and renumbering section 484.09, Florida Statutes, as section 484.08, prohibiting the unlawful practice of optical dispensing; amending and renumbering section 484.07, Florida Statutes, as section 484.09, providing when license is not required; amending section 484.10, Florida Statutes, providing for rules and regulations of the state board and revocation and suspension of licenses and certificates, review; amending section 484.11, Florida Statutes, providing for exemptions to law; providing for severability, repealer and effective date.

Was read the first time by title and referred to the Committees on Health, Welfare, and Institutions and Governmental Organization.

By Senator Hollahan—

**SB 992**—A bill to be entitled An act relating to ad valorem taxes; amending Chapter 194, Florida Statutes (1969), by adding new Section 194.013 which provides definitions for municipal and county purposes and states the legislative intent; providing an effective date.

Was read the first time by title and referred to the Committee on Governmental Organization.

By Senators Scarborough, Mathews, Pope, Beaufort and Slade—

**SB 993**—A bill to be entitled An act creating the Jacksonville Vocational Educational Authority, defining terms used therein; providing the manner, number and terms, method of appointment and qualifications of members, authorizing reimbursement of members' expenses and subjecting members to a code of ethics; providing for meetings and officers, constitution of a quorum and the adoption of rules, regulations and by-laws; providing powers to conduct and maintain a vocational educational system in the City of Jacksonville, acquire property, provide an advisory board, provide that it be permissible for the authority to receive local, state and federal funds as well as funds from private contributors; providing that the State of Florida shall designate this authority as a vocational-technical center; providing fiscal and budgetary functions in the authority subject to certain limitations; providing that the authority shall utilize the Central Service Departments of the city and pay for the same; providing a managing director, his duties, powers, qualifications, manner of compensation, exclusion from civil service; providing for employment of a staff and other employees; authorizing the power and manner in which the authority may contract; providing how and when this act shall

become law and when members and employees shall take office and be compensated; providing an effective date.

Evidence of notice and publication was established by the Senate as to SB 993.

Was read the first time by title and referred to the Committees on Education and Rules and Calendar.

By Senator Trask—

**SB 994**—A bill to be entitled An act relating to county ordinances; amending section 3 of Chapter 69-32, Laws of Florida, to provide for the secretary of state to publish, codify and index county ordinances; providing an effective date.

Was read the first time by title and referred to the Committee on Governmental Organization.

By Senator Horne—

**SB 995**—A bill to be entitled An act relating to instruments by which title to real estate or any interest therein or lien thereon is conveyed, vested, encumbered, assigned or otherwise disposed of amending Section 695.24, Florida Statutes, as amended by Chapter 69-78, Laws of Florida by providing that such instruments recorded without containing information required by 695.24, Florida Statutes, shall be record notice; validating instruments heretofore recorded; providing an effective date.

Was read the first time by title and referred to the Committee on Judiciary.

By Senators de la Parte, Broxson and Lane—

**SB 996**—A bill to be entitled An act relating to nursing homes and related health care facilities; providing a statement of purpose; providing definitions; providing categories of homes and facilities; providing exemptions; providing for existing facilities; providing for license requirement and fees; providing for application procedure and requirements; providing for remedial and punitive action; providing for administrative remedies; providing for injunctive remedies; providing for prohibition of certain acts and for a criminal penalty; providing a right of entry and inspection; providing standards for administration and management of homes; providing a requirement of contract between home and resident; providing standards for handling the property and personal affairs of residents; providing procedure for closing home and transferring residents; prohibiting rebates; providing requirement of licensed administrators; providing rule making power; providing for an advisory council; providing a severability clause; repealing Chapter 400, Florida Statutes; providing an effective date.

Was read the first time by title and referred to the Committees on Health, Welfare, and Institutions and Governmental Organization.

By Senators Gunter, Beaufort, Chiles, Stone, Plante and Saylor—

**SB 997**—A bill to be entitled An act relating to claims of and against the state; amending chapter 17, Florida Statutes, by adding section 17.031; amending sections 17.03, 17.04, 27.12, 27.13 and 215.04, Florida Statutes; providing that the comptroller must settle and approve claims against the state and that the department of banking and finance must settle and approve claims of the state; providing that the comptroller and the department shall not settle certain claims; providing that state attorneys may settle certain claims in the favor of the state against defaulting persons; providing that the department of banking and finance shall report to state attorneys names of persons defaulting on claims; providing an effective date.

Was read the first time by title and referred to the Committee on Judiciary.

By Senator Johnson—

**SB 998**—A bill to be entitled An act relating to the state gem; adding section 15.034, Florida Statutes, to designate the "moonstone" as the Florida state gem; providing an effective date.

Was read the first time by title and referred to the Committee on Natural Resources and Conservation.

By Senator Johnson—

**SB 999**—A bill to be entitled An act relating to minors; providing that any minor who has reached the age of 18 years may give consent to the donation of his blood and to the penetration of tissue which is necessary to accomplish such donation without the prior consent of the parent or parents of such a minor; amending Chapter 743 of the General Laws of Florida of 1967; providing an effective date.

Was read the first time by title and referred to the Committee on Health, Welfare, and Institutions.

By Senators Gunter, Beaufort, de la Parte, Chiles, Stone, Saylor and Plante—

**SB 1000**—A bill to be entitled An act relating to budgets of state agencies; amending section 216.311, Florida Statutes, providing the manner in which each state agency shall maintain its accounts and records; providing that any contract made for expenditure of money in excess of the amount authorized to such agency shall become a claim of the state and a personal liability against any officer or board member who approves it and against his bond; providing an effective date.

Was read the first time by title and referred to the Committee on Ways and Means.

By Senator Wilson—

**SB 1001**—A bill to be entitled An act relating to corporations; amending section 617.023, Florida Statutes, by providing a penalty for failure to comply with resident agent designation requirements of said section; providing an effective date.

Was read the first time by title and referred to the Committee on Judiciary.

By Senator Wilson—

**SB 1002**—A bill to be entitled An act relating to corporation; amending section 608.38, Florida Statutes, by providing a penalty for failure to comply with resident agent designation requirements of said section; providing an effective date.

Was read the first time by title and referred to the Committee on Judiciary.

By Senator Thomas—

**SJR 1003**—A joint resolution proposing an amendment to Section 7, Article IV of the State Constitution relating to suspension from office of certain public officials; removing the limitation that only municipal officers indicted for crime are subject to suspension.

Was read the first time by title and referred to the Committee on Constitutional Amendments and Revision.

By Senators Poston and Deeb—

**SB 1004**—A bill to be entitled An act relating to employment compensation; amending subsection 443.06(2), Florida Statutes; to prohibit receipt of benefits if prior employers will hire individual; providing an effective date.

Was read the first time by title and referred to the Committee on Judiciary.

By Senator Wilson—

**SB 1005**—A bill to be entitled An act relating to corporations; amending section 48.091, Florida Statutes, to provide method for service of process upon a corporation when resident agent or corporate officer is not available to receive process; providing an effective date.

Was read the first time by title and referred to the Committee on Judiciary.

By Senator Wilson—

**SB 1006**—A bill to be entitled An act relating to corporations; amending subsection 48.091(1), Florida Statutes, relating to the designation of a resident agent upon whom service of

process may be served; renumbering subsection 48.091(6) to subsection 48.091(7); adding a new subsection (6) to provide a penalty for failure to comply; and providing an effective date.

Was read the first time by title and referred to the Committee on Judiciary.

By Senators Plante, Horne, Askew, Bafalis, Barron, Barrow, Beaufort, Bell, Bishop, Boyd, Broxson, Chiles, Daniel, Deeb, de la Parte, Ducker, Fincher, Friday, Gong, Gunter, Haverfield, Henderson, Hollahan, Johnson, Karl, Knopke, Lane, Mathews, McClain, Myers, Ott, Pope, Poston, Reuter, Saunders, Saylor, Scarborough, Shevin, Slade, Stolzenburg, Stone, Thomas, Trask, Weber, Weissenborn, Williams, Wilson and Young—

**SR 1007**—A Resolution in Commendation of Alonzo Smith "Jake" Gaither.

Was read the first time by title and placed on the Calendar.

By Senator Thomas—

**SB 1008**—A bill to be entitled An act relating to sale of securities, exempt transactions; amending sections 517.06(10), (16)(a), Florida Statutes, deleting the requirement that a corporation be incorporated under the laws of this state or a trust or partnership be organized under the laws of this state; permitting the payment of sales commissions to persons registered pursuant to section 517.12, Florida Statutes; providing as an exempt transaction securities for which a registration statement has been filed with the securities and exchange commission; and providing an effective date.

Was read the first time by title and referred to the Committee on Commerce and Licensed Businesses.

By Senator Thomas—

**SB 1009**—A bill to be entitled An act relating to securities, amending section 517.091, Florida Statutes, providing for registration of securities by announcement, providing for contents and filing of registration statement; providing an effective date.

Was read the first time by title and referred to the Committee on Commerce and Licensed Businesses.

By Senator Karl—

**SB 1010**—A bill to be entitled An act relating to the charter of Volusia county, Florida, and amending articles IX and XV, Chapter 70- laws of Florida as enacted by Senate Bill No. 942 of the 1970 regular session to establish nonpartisan elections of county officers; providing for the repeal of laws in conflict herewith; providing that the act shall take effect only when it is approved by a majority of the electors of Volusia county voting in an election herein provided; providing a date for the election; providing for the payment of the cost of the election from the public funds of Volusia county; providing for an effective date.

Was read the first time by title and referred to the Committee on Rules and Calendar.

By Senator Plante—

**SB 1011**—A bill to be entitled An act relating to the department of air and water pollution control; amending section 403.231 by deleting the requirement for the attorney general to represent the department and providing that the department shall employ its own counsel; providing an effective date.

Was read the first time by title and referred to the Committees on Natural Resources and Conservation and Governmental Organization.

By Senator Plante—

**SB 1012**—A bill to be entitled An act relating to yacht and ship brokers; amending subsections (1) (a) and (1) (d) of section 537.02, Florida Statutes, by expanding the definition of the word "broker" and of the words "yacht and ship"; amending the introductory paragraph to subsection (1) and amending subsection (3) (c) of section 537.03, Florida Statutes, by substituting the word "hearings" for the word "meetings"; and by adding the words "other proper and necessary relief"; amending subsections (6), (7) and (10) of section 537.04, Florida Statutes, by requiring that applicants for licenses file fingerprints and by adding the words "prospective buyers" and

"prospective buyers prior to action on the broker's bond" and by adding a new subsection to give the division of general regulation another ground to deny a license; amending subsection (5) of section 537.06, Florida Statutes, authorizing the division of general regulation to impose civil penalties against a licensee for violation of a provision of this section; amending subsections (1) and (5) (a) (b) (c) (d) (e) (f) (g) and (h) of section 537.07, Florida Statutes, by providing that each license issued under Chapter 537 shall be effective for one year from date of issuance and by providing for the paying of the renewal fee ten days prior to expiration and by providing that fingerprints accompany applications for renewal and by increasing license fees and by providing for the issuance of a regular salesman's license to the holder of a temporary salesman's license who successfully completes his examination; providing an effective date.

Was read the first time by title and referred to the Committees on Commerce and Licensed Businesses and Ways and Means.

By Senator Stone—

**SJR 1013**—A joint resolution proposing an amendment to Article VII of the State Constitution, adding section 14, authorizing the Legislature to provide for the issuance of revenue bonds and full faith and credit bonds for the purpose of loaning money to municipalities, counties, districts, and other governmental agencies for the construction of air and water pollution abatement facilities to be owned or operated by any such municipalities, counties, districts, and other governmental agencies, to be secured by a pledge of all or any part of special assessments, or operating revenues to be derived from such facilities and the proceeds derived from the sale of general obligation bonds or securities acquired therewith; limiting the principal amount of full faith and credit bonds which may be outstanding at any one (1) time to three hundred million dollars (\$300,000,000).

Was read the first time by title and referred to the Committees on Constitutional Amendments and Revision and Ways and Means.

By Senators Lane and Fincher—

**SB 1014**—A bill to be entitled An act relating to racing meetings; amending Section 550.04, Florida Statutes; permitting the attendance of minors at horse racing meetings; providing for the issuance of permits by the Division of Pari-Mutuel Wagering of the Department of Business Regulation, allowing minors to attend racing meetings but prohibiting pari-mutuel betting and the sale of intoxicating beverages to minors so admitted; providing an effective date.

Was read the first time by title and referred to the Committee on Commerce and Licensed Businesses.

By Senators Bishop and Stone—

**SB 1015**—A bill to be entitled An act amending chapter 372, Florida Statutes by adding section 372.024 relating to the sale or trade of lands in the Cecil M. Webb Wildlife Management Area to the State of Florida as needed for interstate highways; providing an effective date.

Was read the first time by title and referred to the Committee on Transportation.

By Senators Bishop and Stone—

**SB 1016**—A bill to be entitled An act relating to the state road department, amending section 337.27, Florida Statutes, authorizing the department to enter into agreements with other public agencies for condemnation of property for joint use projects; providing an effective date.

Was read the first time by title and referred to the Committee on Transportation.

By Senators Bishop and Stone—

**SB 1017**—A bill to be entitled An act relating to the state road department, amending section 339.09(1), Florida Statutes, relating to the use of gasoline tax revenues; permitting the state to spend gas tax revenue for joint or multiple use including appropriate roadside development and other related facilities; providing an effective date.

Was read the first time by title and referred to the Committee on Transportation.

By Senators Bishop and Stone—

**SB 1018**—A bill to be entitled An act amending chapter 372, Florida Statutes by adding section 372.025 relating to the sale or trade of commission lands in wildlife management areas to the State of Florida as needed for interstate highways; providing an effective date.

Was read the first time by title and referred to the Committee on Transportation.

By Senator Karl—

**SB 1019**—A bill to be entitled An act relating to the state board of osteopathic medical examiners; amending sections 459.06(6) and (7), 459.14(1), 459.18, 459.19(2)(a) and (3)(b), and 459.20(2)(b), all Florida Statutes; increasing educational requirements of applicants; increasing examination and license fees and prohibiting return to applicant; broadening definition of "felony"; providing for determination of mental or physical fitness of licensed practitioners by the board; increasing penalties for certain violations and providing for imprisonment; increasing refresher training time; allowing increase of license renewal fee; increasing reinstatement fee; providing for suspension on basis of immoral conduct and for temporary suspension of licensee who is institutionalized; excusing refresher training and renewal fees in certain cases; providing an effective date.

Was read the first time by title and referred to the Committees on Health, Welfare, and Institutions and Ways and Means.

By Senator Karl—

**SB 1020**—A bill to be entitled An act relating to physicians; amending sections 393.021(2), 394.22(6)(a), 394.24(1)(b), 394.56(1), Florida Statutes, to change the requirement for physicians to practice in regional community centers for mentally retarded, children's psychiatric centers, and with respect to commitments to the state hospital psychiatric centers, from a requirement of graduation from a school of medicine recognized by the American medical association to a requirement of licensure to practice pursuant to chapter 458 or 459, Florida Statutes; providing an effective date.

Was read the first time by title and referred to the Committee on Health, Welfare, and Institutions.

#### MESSAGES FROM THE HOUSE OF REPRESENTATIVES

*The Honorable John E. Mathews, Jr.*  
*President of the Senate*

April 29, 1970

Sir:

I am directed to inform the Senate that the House of Representatives has adopted—

By Representative Bevis and others—

**HCR 3929**—A concurrent resolution commending Samuel Raymond Graves, head football coach at the University of Florida, upon his retiring from active coaching.

—and requests the concurrence of the Senate therein.

*Respectfully,*  
**ALLEN MORRIS**  
*Clerk, House of Representatives*

HCR 3929, contained in the above message, was read the first time in full and placed on the Calendar.

*The Honorable John E. Mathews, Jr.*  
*President of the Senate*

April 29, 1970

Sir:

I am directed to inform the Senate that the House of Representatives has passed as amended—

By Representatives Gillespie and Conway—

**HB 1127**—A bill to be entitled An act relating to annexation of one municipality to another; amending section 171.09, Florida Statutes, by adding subsection (2) to provide an alternate method of procedure; providing an effective date.

By Representative Nichols—

**HB 1091**—A bill to be entitled An act relating to eminent domain proceedings; amending Section 73.081, Florida Statutes, providing for separate statement in the verdict of certain damages; providing an effective date.

By Representative Redman—

**HB 559**—A bill to be entitled An act relating to real estate; amending subsection 65.061(4), F. S., requiring the appointment of a guardian ad litem for parties when it affirmatively appears that the interest of minors, persons of unsound mind, or convicts are involved; providing an effective date.

—and requests the concurrence of the Senate therein.

*Respectfully,*  
**ALLEN MORRIS**  
*Clerk, House of Representatives*

**HB 1127**, contained in the above message, was read the first time by title and referred to the Committee on Governmental Organization.

House Bills 1091 and 559, contained in the above message, were read the first time by title and referred to the Committee on Judiciary.

*The Honorable John E. Mathews, Jr.* April 29, 1970  
*President of the Senate*

I am directed to inform the Senate that the House of Representatives has passed as amended—

By Representative Glisson—

**HB 1220**—A bill to be entitled An act relating to elections; amending section 98.211, Florida Statutes, making it mandatory for the supervisor to furnish copies of records upon reasonable compensation; providing an effective date.

By Representative Nichols—

**HB 1093**—A bill to be entitled An act relating to eminent domain proceedings; amending subsection (3) of section 74.041, Florida Statutes; providing for the time for hearing on the declaration of taking; providing an effective date.

By Representative Nichols—

**HB 1092**—A bill to be entitled An act relating to eminent domain proceedings; amending Section 73.051, Florida Statutes; providing for the procedure for filing of written defenses, the entry of defaults, and the setting aside of defaults; providing an effective date.

—and requests the concurrence of the Senate therein.

*Respectfully,*  
**ALLEN MORRIS**  
*Clerk, House of Representatives*

*The Honorable John E. Mathews, Jr.* April 29, 1970  
*President of the Senate*

Sir:

I am directed to inform the Senate that the House of Representatives has passed as amended—

By Representative Hodes—

**HB 94**—A bill to be entitled An act relating to drugs; amending section 500.04, Florida Statutes, by adding subsection (13) to prohibit the forgery of a prescription for any habit-forming, toxic, harmful or new drug; providing penalties; providing an effective date.

By Representative Nichols—

**HB 1088**—A bill to be entitled An act relating to eminent domain proceedings; amending subsection (1) of section 73.071, Florida Statutes; providing for the time at which and the manner in which the issue of compensation shall be submitted to a jury of twelve persons; providing an effective date.

By Representative Nichols—

**HB 1090**—A bill to be entitled An act relating to eminent domain proceedings; amending section 73.111, Florida Statutes;

providing that the court shall fix the time at which the defendants shall surrender possession to the petitioner; providing an effective date.

—and requests the concurrence of the Senate therein.

*Respectfully,*  
**ALLEN MORRIS**  
*Clerk, House of Representatives*

*The Honorable John E. Mathews, Jr.*  
*President of the Senate*

April 29, 1970

Sir:

I am directed to inform the Senate that the House of Representatives has passed as amended—

By Representative Nixon—

**HB 510**—A bill to be entitled An act relating to state employees, amending section 110.092, Florida Statutes, to permit a state employee in the classified service to be a candidate for or hold a local public office under certain conditions; providing an effective date.

—and requests the concurrence of the Senate therein.

*Respectfully,*  
**ALLEN MORRIS**  
*Clerk, House of Representatives*

House Bills 1220, 1093, 1092, 94, 1088, 1090 and 510, contained in the above messages, were read the first time by title and referred to the Committee on Judiciary.

*The Honorable John E. Mathews, Jr.* April 29, 1970  
*President of the Senate*

Sir:

I am directed to inform the Senate that the House of Representatives has passed as amended—

By the Committee on Insurance—

**HB 4163**—A bill to be entitled An act relating to insurance; creating a Florida insurance guaranty association; setting forth the purpose of this act; providing definitions; providing a plan of operation for the association; establishing four (4) guaranty accounts; providing a board of directors; providing the membership, duties, and functions of the board and the association; providing duties of the department of insurance relating to the association; providing the payment of certain claims; providing a method to prevent insolvencies of insurers; providing immunity from certain suits; amending section 627.0851(4), Florida Statutes, providing a method for payment of claims against insolvent insurers arising under the uninsured motorist statute; providing an effective date.

—and requests the concurrence of the Senate therein.

*Respectfully,*  
**ALLEN MORRIS**  
*Clerk, House of Representatives*

**HB 4163**, contained in the above message, was read the first time by title and referred to the Committee on Insurance.

*The Honorable John E. Mathews, Jr.* April 29, 1970  
*President of the Senate*

Sir:

I am directed to inform the Senate that the House of Representatives has passed—

By Representative Reed and others—

**HB 4373**—A bill to be entitled An act amending chapter 65-1264 Laws of Florida, Special Acts of 1965, the same being the Charter of the City of Boca Raton, Palm Beach County, Florida, by amending Section 6.03(b) to authorize and empower the Judge of the Municipal Court of Boca Raton to issue search warrants in aid of the enforcement of ordinances of said city to be executed within the limits of said city, to regulate their issuance, service and return.

Proof of Publication attached.

By Representative Moudry and others—

**HB 4376**—A bill to be entitled An act amending the charter of the town of Lantana, Florida, as provided in the special acts of 1931, (Chapter 15302) by redefining the corporate limits as provided in Article I, Section 2, of said town charter; providing an effective date.

Proof of Publication attached.

By Representative Poorbaugh and others—

**HB 4377**—A bill to be entitled An act relating to the City of Lake Worth, amending Section 3 of the City Charter, Chapter 25962 Special Laws of Florida, 1949, as amended, adding subsection (45) providing for police power and control over City property outside the municipal boundary, providing a penalty; providing an effective date.

Proof of Publication attached.

—and requests the concurrence of the Senate therein.

Respectfully,  
ALLEN MORRIS  
Clerk, House of Representatives

The Honorable John E. Mathews, Jr.  
President of the Senate

April 29, 1970

Sir:

I am directed to inform the Senate that the House of Representatives has passed—

By Representative Heath and others—

**HB 4306**—A bill to be entitled An act relating to Sarasota County; amending section 5 of chapter 67-2039, Laws of Florida, relating to hospital care assistance for the medically indigent; providing for the execution of a lien by applicants for assistance on real property and mobile homes in favor of the county; providing an effective date.

Proof of Publication attached.

By Representative Powell and others—

**HB 4311**—A bill to be entitled An act relating to Brevard County; amending section 1 of chapter 27417, Laws of Florida, 1951, making the possession, sale, offer for sale, or transportation of loggerhead or green turtles unlawful; providing an effective date.

Proof of Publication attached.

By Representative Powell and others—

**HB 4312**—A bill to be entitled An act relating to Okeechobee County; repealing chapter 59-1638, Laws of Florida, which authorizes the board of public instruction of said county to enter into certain contracts without competitive bidding; providing an effective date.

Proof of Publication attached.

By Representative Heath and others—

**HB 4318**—A bill to be entitled An act relating to Charlotte County; amending section 1 of chapter 65-1365, Laws of Florida, relating to Charlotte County medical examiner; providing for the board of county commissioners to determine compensation for the county medical examiner; providing an effective date.

Proof of Publication attached.

—and requests the concurrence of the Senate therein.

Respectfully,  
ALLEN MORRIS  
Clerk, House of Representatives

The Honorable John E. Mathews, Jr.  
President of the Senate

April 29, 1970

Sir:

I am directed to inform the Senate that the House of Representatives has passed—

By Representative Heath and others—

**HB 4196**—A bill to be entitled An act relating to Charlotte County; making it unlawful to take certain menhaden-like fish with a purse seine, purse gill net, lampara net, or similar net or device for any purpose within three (3) marine leagues of shore; making violation a misdemeanor; providing an effective date.

Proof of Publication attached.

By Representatives Gallen and Pratt—

**HB 4204**—A bill to be entitled An act amending Section 10 of Special Act 65-1687 (Senate Bill 1472) enacted by the 1965 Florida State Legislature allowing the Hospital District Board of Hardee County, Florida to borrow money for periods of time not exceeding five (5) years at any one (1) time and providing that the Hospital District Board of Hardee County, Florida, shall be allowed to agree to pay interest rates not to exceed nine percent (9%) per annum, simple interest; and providing for an effective date.

Proof of Publication attached.

By Representatives Gallen and Pratt—

**HB 4205**—A bill to be entitled An act relating to an amendment to section 5 of chapter 26300 (No. 1304-House Bill No. 85) and chapter 27969 (No. 1490-House Bill No. 1137) and House Bill No. 1339, Laws of Florida, Special Acts of 1949, 1951, & 1959, same being An act providing for a pension system for certain officers and employees of the City of Wauchula, Florida; creating a pension board of said city, providing pensions for certain retired and disabled officers and employees of said city; creating a retirement fund and making provisions for contributions into same by officers and employees of said city participating in the benefits of said fund and by the City of Wauchula and for payments to pensioners from same; providing for the investment of funds held in such retirement fund; providing that the provisions of this act shall not apply to members of the City Council; providing for the administration of the provisions of this act; and repealing all acts or parts of acts in conflict with the provisions of this act; by making eligible for benefits under said chapter all persons having twenty-five years service with the City of Wauchula, Florida.

Proof of Publication attached.

—and requests the concurrence of the Senate therein.

Respectfully,  
ALLEN MORRIS  
Clerk, House of Representatives

The Honorable John E. Mathews, Jr.  
President of the Senate

April 29, 1970

Sir:

I am directed to inform the Senate that the House of Representatives has passed—

By Representative Stafford and others—

**HB 3961**—A bill to be entitled An act relating to the City of Belleair; amending Chapter 10355, Acts of 1925, by adding Section 5a to the City Charter; providing for recall of elected officials; providing a referendum.

By Representative Grizzle—

**HB 4022**—A bill to be entitled An act relating to Pinellas County, licensing and regulating of children's centers and family day care homes; amending sections 2(1), (4), (5), and (6), 4, 5, 6(2) and (3), 7(2), 8(1), (2), (4), (6) and (7), 9, 11, 13(2) and (3), 15(2), (3), and (5), 17, 18, 20, 21, and 22 of chapter 61-2681, Laws of Florida; redefining children's centers and family day care homes; omitting requirement that license board meet during certain months and providing for quarterly meetings; deleting the procedure for increasing or decreasing standards; providing for minimum personnel standards; deleting provision for inspection of records by applicant or licensee; providing for new standards for physical plant of children's centers; providing for standards of physical plant for children's centers, family day care and foster boarding homes; providing for temporary permits; deleting requirement of conviction of crime involving moral turpitude as grounds for revocation or

denial of license and providing new grounds for denial of license; deleting provision relating to Florida rules of evidence making order effective immediately, providing for certiorari to the circuit court and rehearing; providing for annual inspection; permitting holders of temporary permits to advertise and providing requirements for advertisements; providing that the state attorney shall prosecute violations of this act and providing for civil relief for violations of this act and representation in civil matters by the attorney for the board of county commissioners with the consent of the board of county commissioners and for authority to hire an attorney if the attorney for the board of county commissioners is unavailable; making violation a misdemeanor; permitting the license board to accept contributions; providing an effective date.

Proof of Publication attached.

By Representative Melvin and others—

**HB 4130**—A bill to be entitled An act relating to the City of Niceville, Okaloosa County; amending section 1 of chapter 31034, Laws of Florida, 1955, as amended, to redefine city boundaries; providing an effective date.

Proof of Publication attached.

—and requests the concurrence of the Senate therein.

*Respectfully,*  
**ALLEN MORRIS**  
*Clerk, House of Representatives*

*The Honorable John E. Mathews, Jr.*  
*President of the Senate*

April 29, 1970

Sir:

I am directed to inform the Senate that the House of Representatives has passed—

By Representative James and others—

**HB 4381**—A bill to be entitled An act relating to Acme Drainage District in Palm Beach County, Florida, created by Chapter 28557, Laws of Florida, Acts of 1953; amending Section 3 of said law, as amended by Chapter 57-568, Laws of Florida, Acts of 1957, so as to permit the Board of Supervisors of said District to construct and maintain recreation areas and facilities; to construct and maintain water plants and systems to produce, purify and distribute water for consumption; to construct and maintain sewer systems for the collection and disposal of waste and to prevent water pollution in the District; to construct and maintain a system of road and street lighting; to construct and maintain facilities for and take measures to control mosquitoes and other pests; to acquire, construct and maintain conservation areas and sanctuaries for the storage of water for water control and irrigation purposes and for preservation of wild life; and to provide that all powers and authority of the District shall extend and apply to the District as a whole and to each unit of development as from time to time may be designated by the Board of Supervisors; providing for severability of the provisions of the act; providing that the act shall take precedence over any conflicting law to the extent of such conflict; approving the manner of giving notice of intention to apply for this legislation; enacting other provisions relating to this subject, and providing that this act shall take effect upon its approval by the Governor, or upon its becoming a law without such approval.

Proof of Publication attached.

By Representative Poorbaugh and others—

**HB 4382**—A bill to be entitled An act amending sections 8.02, 8.05 and 8.06 of the charter of the City of West Palm Beach, being chapter 65-2381, Special Laws of Florida, Acts of 1965, relating to the issuance and sale of bonds; providing a severability clause; repealing all laws in conflict; providing an effective date.

Proof of Publication attached.

—and requests the concurrence of the Senate therein.

*Respectfully,*  
**ALLEN MORRIS**  
*Clerk, House of Representatives*

*The Honorable John E. Mathews, Jr.*  
*President of the Senate*

April 29, 1970

Sir:

I am directed to inform the Senate that the House of Representatives has passed—

By Representative Nichols and others—

**HB 4289**—A bill to be entitled An act amending the first unnumbered paragraph of section 4, chapter 63-1447, Laws of Florida, as amended, relating to the Jacksonville Port Authority: providing that the fiscal year of the Authority shall commence on October 1 of each year and end on the following September 30; and that in the transition the first budget of the Authority submitted to the City after the effective date of this act shall be for a three (3) month period running from July 1, 1970 through September 30, 1970, accompanied by a supplemental annual budget covering the period October 1, 1970 through September 30, 1971; providing an effective date.

Proof of Publication attached.

By Representative Westberry and others—

**HB 4290**—A bill to be entitled An act amending the second unnumbered paragraph of section 10 of chapter 63-1447, Laws of Florida, Special Acts of 1963, as amended, relating to the Jacksonville Port Authority, providing all revenues of the airports of the Authority shall be applied and used in accordance with the provisions of Ordinance No. FF-253, Bill No. FF-296 of the former City of Jacksonville, Florida, so long as and to the extent the terms, covenants and provisions of said Ordinance and Bill are in effect; providing an effective date.

Proof of Publication attached.

By Representative Arnold and others—

**HB 4291**—A bill to be entitled An act relating to Duval County; amending chapter 25788, Laws of Florida, special acts of 1949; reducing the size for the taking of fish in the salt waters of Duval County; providing an effective date.

Proof of Publication attached.

—and requests the concurrence of the Senate therein.

*Respectfully,*  
**ALLEN MORRIS**  
*Clerk, House of Representatives*

*The Honorable John E. Mathews, Jr.*  
*President of the Senate*

April 29, 1970

Sir:

I am directed to inform the Senate that the House of Representatives has passed—

By Representative Crider and others—

**HB 4167**—A bill to be entitled An act relating to issuance of motor vehicle license tags and title certificate applications in Jacksonville; authorizing the tax collector or private persons appointed by him to operate branch offices of the auto tag agency in Duval County; providing for service charges to defray branch operations; providing penalties for embezzlement of agency branch funds; repealing chapter 61-2097, Laws of Florida, relating to the same subjects; providing an effective date.

Proof of Publication attached.

By Representative Arnold and others—

**HB 4181**—A bill to be entitled An act amending sections 148, 149, and 150, of chapter 57-1126, Laws of Florida, the charter of the City of Atlantic Beach; increasing to seven and one-half (7½) per cent per annum the rate of interest which the city of Atlantic Beach may provide on its general obligation bonds, revenue bonds, and certificates, and combination general obligation and revenue bonds; providing an effective date.

Proof of Publication attached.

By Representative Nichols and others—

**HB 4183**—A bill to be entitled An act authorizing the City of Jacksonville Beach, Florida to issue bonds and/or revenue certificates at such legal rates of interest as may be established by the State of Florida.

Proof of Publication attached.

—and requests the concurrence of the Senate therein.

*Respectfully,*  
**ALLEN MORRIS**  
*Clerk, House of Representatives*

*The Honorable John E. Mathews, Jr.*  
*President of the Senate*

April 29, 1970

Sir:

I am directed to inform the Senate that the House of Representatives has passed—

By Representative Arnold and others—

**HB 4292**—A bill to be entitled An act relating to the City of Jacksonville; amending section 24.01 (7), chapter 67-1320, Laws of Florida, special acts of 1967, as amended, the Charter of the City of Jacksonville, by removing the Duval County Beaches Public Hospital Board as an independent agency of the City of Jacksonville; providing an effective date.

Proof of Publication attached.

By Representative Elmore and others—

**HB 4295**—A bill to be entitled An act relating to Holmes County; creating the Town of Westville; describing territorial limits, prescribing the form of government, jurisdiction, powers, and privileges of said town; providing for the election of certain officers; providing for a referendum.

Proof of Publication attached.

By Representative Heath and others—

**HB 4305**—A bill to be entitled An act relating to Sarasota County, South Trail area fire control district; amending subsection (1) of section 4, section 7, subsection (1) of section 8 and adding section 19 of and to chapter 65-2241, Laws of Florida, as amended by chapter 67-2046, Laws of Florida; providing for the levy and collection of special assessments for benefits for fire protection and for ambulance service; providing the authority to pledge the taxing and assessment power of the district in order to borrow money and issue certificates of indebtedness; providing for a referendum to be held at the South Trail fire district fire station under the direction of the supervisor of elections of Sarasota County.

Proof of Publication attached.

—and requests the concurrence of the Senate therein.

*Respectfully,*  
**ALLEN MORRIS**  
*Clerk, House of Representatives*

*The Honorable John E. Mathews, Jr.*  
*President of the Senate*

April 29, 1970

Sir:

I am directed to inform the Senate that the House of Representatives has passed—

By Representatives Craig and Reedy—

**HB 4206**—A bill to be entitled An act relating to St. Johns County, Town of St. Augustine Beach; providing that absence from three (3) consecutive regular meetings of the town commission of the Town of St. Augustine Beach shall operate to vacate the seat of a member unless such absence is excused by the commission; providing an effective date.

Proof of Publication attached.

By Representative Westberry and others—

**HB 4270**—A bill to be entitled An act amending section 6.07 of chapter 67-1320, Laws of Florida, the charter of the city of Jacksonville, by automatically designating the president of the

council as acting mayor in the case of an absence of the mayor from Duval County; providing an effective date.

Proof of Publication attached.

By Representative Heath and others—

**HB 4287**—A bill to be entitled An act relating to DeSoto County, City of Arcadia; amending section 11 of chapter 5080, Laws of Florida, 1901, charter amendment, article 2, 5-10-21 referred to as section 9 of the city charter of the City of Arcadia; amending section 9 of chapter 5080, Laws of Florida, 1901, referred to as section 10 of the city charter of the City of Arcadia; amending section 48 of chapter 5080, Laws of Florida, 1901, referred to as section 41 of the city charter of the City of Arcadia; providing for the election of the mayor and the powers of the mayor and the marshal; adding sections 101, 102, 103, 104, 105, 106, 107, and 108 to said chapter, to be known as article XII of the city charter of the City of Arcadia, providing for the creation of a municipal court of the City of Arcadia, and providing for the appointment, suspension and removal, and powers of a municipal judge; providing for a clerk of the court, for disposition of funds, for a city jail, and for trial by jury in said court; providing an effective date.

Proof of Publication attached.

—and requests the concurrence of the Senate therein.

*Respectfully,*  
**ALLEN MORRIS**  
*Clerk, House of Representatives*

*The Honorable John E. Mathews, Jr.*  
*President of the Senate*

April 29, 1970

Sir:

I am directed to inform the Senate that the House of Representatives has passed—

By Representatives Craig and Reedy—

**HB 4154**—A bill to be entitled An act relating to St. Johns County, Town of St. Augustine Beach; giving said town the authority by and through its town commission to provide for reregistration by ordinance of all qualified voters, when such reregistration is deemed necessary in the opinion of the town commission; providing that such reregistration shall not be more than once every four (4) years; providing an effective date.

Proof of Publication attached.

By Representative Westberry and others—

**HB 4165**—A bill to be entitled An act amending Section 14.11 of Article 14 of Chapter 67-1320, Laws of Florida, as amended, being the Charter of the City of Jacksonville relating to the Duval County School Board; providing that unless otherwise directed by the Council of the City of Jacksonville that the Duval County School Board shall utilize the services of the Central Services Department of the City of Jacksonville except that the Duval County School Board and the Superintendent of Schools and their employees shall employ instructional personnel for the school system under the regulations set forth by the Duval County School Board; providing further that the Duval County School Board may in cooperation with the Central Services Department establish a school awards committee consisting of not less than three (3) nor more than five (5) members, one of whom shall be the chief purchasing officer of the City, or his delegate, and the remaining members shall be appointed by the Duval County School Board either from members of said Board or employees thereof; providing that purchasing and contract awards made by said committee shall be binding upon the Duval County School Board without further action by the Duval County School Board; repealing all conflicting laws providing for severability; providing an effective date.

Proof of Publication attached.

By Representative Brantley and others—

**HB 4166**—A bill to be entitled An act amending the charter of Jacksonville, chapter 67-1320, Laws of Florida, article 8, relating to the office of the sheriff; permitting reorganization of the office by the sheriff; providing limitations thereon; providing an effective date.

Proof of Publication attached.



—and requests the concurrence of the Senate therein.

*Respectfully,*  
**ALLEN MORRIS**  
*Clerk, House of Representatives*

*The Honorable John E. Mathews, Jr.*  
*President of the Senate*

April 29, 1970

Sir:

I am directed to inform the Senate that the House of Representatives has passed—

By Representative Culbreath and others—

**HB 4332**—A bill to be entitled An act relating to Hernando County; creating a small claims court in said county; fixing the jurisdiction of the court; providing for the county judge to be the judge of said court; providing for the inclusion of the court's expenses and income in the county judge's budget; providing for the service of process of the court; providing for the appointment of clerks of the court; providing fees; providing for jury trials; repealing chapter 27335, Laws of Florida, 1951, and chapters 61-1454, 63-724, 67-854, and 69-561, Laws of Florida, relating to the Hernando County small claims court; providing an effective date.

Proof of Publication attached.

By Representative Westberry and others—

**HB 4346**—A bill to be entitled An act amending the charter of Jacksonville, chapter 67-1320, Laws of Florida, as amended, to except from the civil service system the positions of council assistant secretary, council director of research, and council research assistant, and the executive director of the community relation commission; providing an effective date.

Proof of Publication attached.

By Representative Dixon and others—

**HB 4349**—A bill to be entitled An act relating to the Duval County School Board; amending Article 14 of Chapter 67-1320, as amended by Chapter 67-1310, and further amended by Chapter 69-1032, Laws of Florida; providing for staggered terms of certain members of the Duval County School Board; regulating the terms of office of members from School Board Districts 2, 4 and 6 so that their terms shall be staggered from members in School Board Districts 1, 3, 5 and 7; repealing all laws in conflict herewith; providing for severability; providing an effective date.

Proof of Publication attached.

—and requests the concurrence of the Senate therein.

*Respectfully,*  
**ALLEN MORRIS**  
*Clerk, House of Representatives*

*The Honorable John E. Mathews, Jr.*  
*President of the Senate*

April 29, 1970

Sir:

I am directed to inform the Senate that the House of Representatives has passed—

By Representative Dixon and others—

**HB 4350**—A bill to be entitled An act authorizing the judge of the municipal court of the City of Jacksonville Beach to issue search warrants to be executed within the territorial jurisdiction of said municipal court, and to regulate their issuance, service and return; providing penalties; providing an effective date.

Proof of Publication attached.

By Representative Dixon and others—

**HB 4351**—A bill to be entitled An act relating to tenure of employment of teachers in the public schools in Duval County, Florida; amending Chapter 21197, Laws of Florida, Acts of

1941, to define the word "teachers" to include only teachers who render full-time instructional service in the classroom; providing the applicability of said amended definition to all "teachers" presently employed or hereafter employed in Duval County, Florida; repealing all laws and parts of laws in conflict herewith; providing for severability; providing an effective date.

Proof of Publication attached.

By Representative Brantley and others—

**HB 4352**—A bill to be entitled An act relating to Duval County; providing that funds received by Band Parents and all similar Booster Organizations in Duval County shall be exempt from control by the Duval County School Board; providing for severability; providing an effective date.

Proof of Publication attached.

By Representative Powell and others—

**HB 4371**—A bill to be entitled An act relating to City of St. Cloud, Osceola County; amending section 1.05 of chapter 65-2166, Laws of Florida, the city charter, as amended by chapter 67-1981, Laws of Florida; enlarging the territory to be included in city; providing an effective date.

Proof of Publication attached.

—and requests the concurrence of the Senate therein.

*Respectfully,*  
**ALLEN MORRIS**  
*Clerk, House of Representatives*

*The Honorable John E. Mathews, Jr.*  
*President of the Senate*

April 29, 1970

Sir:

I am directed to inform the Senate that the House of Representatives has passed—

By Representative Dixon and others—

**HB 4184**—A bill to be entitled An act amending Section 74, of chapter 18623, Laws of Florida, Special Acts of 1937, being "An act relating to the government of the City of Jacksonville Beach and prescribing the jurisdiction, powers, duties and functions of the City of Jacksonville Beach and all its officers and prescribing a system of taxation for said city and repealing pre-existing laws relating to the government thereof." as amended; changing the time of payment of city taxes; providing an effective date.

Proof of Publication attached.

By Representative Heath and others—

**HB 4188**—A bill to be entitled An act relating to Sarasota County; making it unlawful to take certain menhaden-like fish with a purse seine, purse gill net, lampara net, or similar net or device for any purpose within three (3) marine leagues of shore; making violation a misdemeanor; providing an effective date.

Proof of Publication attached.

By Representative Heath and others—

**HB 4194**—A bill to be entitled An act relating to the City of Sarasota; ratifying and affirming the charter of the City of Sarasota and all subsequent amendments thereto; providing an effective date.

Proof of Publication attached.

—and requests the concurrence of the Senate therein.

*Respectfully,*  
**ALLEN MORRIS**  
*Clerk, House of Representatives*



*The Honorable John E. Mathews, Jr.*  
*President of the Senate*

April 29, 1970

Sir:

I am directed to inform the Senate that the House of Representatives has passed—

By Representative Roberts and others—

**HB 4434**—A bill to be entitled An act repealing the Florida Keys Aqueduct Commission and creating the Florida Keys Aqueduct Authority, repealing Chapter 18530, Laws of Florida 1937; Chapter 21230, Laws of 1941; Chapter 21238, Laws of 1941; Chapter 23277, Laws of 1945; Chapter 26039, Laws of 1949; Chapter 27757, Laws of 1951; Chapter 29297, Laws of 1953; Chapter 29401, Laws of 1953; Chapter 31010, Laws of 1955; Chapter 31011, Laws of 1955; Chapter 31012, Laws of 1955; Chapter 57-1589, Laws of 1957; Chapter 59-1581, Laws of 1959; Chapter 63-1644, Laws of 1963; Chapter 63-1648, Laws of 1963; providing for its powers and duties; providing for the appointment of its members, who shall be referred to as the board of directors; providing for the filling of vacancies; providing powers and duties, including the ownership, acquisition, mortgage, lease and disposal of property and facilities and the furnishing of services and facilities relating to water supply and water supply systems, sewer systems to exercise the power of eminent domain, to finance the projects and activities of the Authority through the issuance of bonds; authorizing the Authority to enter into agreement with other public agencies of the State of Florida and the United States of America; providing authority to set rates, fees, rentals, tolls, fares and charges and to pledge the same as security for bonds; providing authority to recover delinquent charges together with attorneys fees, expenses and penalties and to discontinue services; authorizing agreements with private or public persons or agencies concerning the furnishing of facilities and services; granting the Authority exclusive jurisdiction over projects and budgets and providing exemption of Authority projects and activities and the Authority budget and finances from other regulatory laws and authorities; authorizing the Authority to adopt a comprehensive general plan for the furnishing of water services and systems; providing the power to issue bond anticipation notes; providing the power to make short term borrowings and to issue certificates of indebtedness; providing authority for making trust agreements; providing for the sale of bonds; providing authorization and form of bonds; providing for interim and replacement certificates and negotiability; making authority bonds legal investment or security for other public and private bodies; providing authority to make bond covenants and to provide for the rights, remedies and security of bond holders; providing for validation of bonds by publication of notice of issuance and by validation proceedings under Chapter 75, Florida Statutes; providing independent authority to issue bonds and authorizing the issuance without approval of other public authorities; extending pledges to bond holders and safeguarding agreement with the Federal Government against impairment of rights; providing for agreements with municipalities, state and federal agencies; providing for tax exemption of Authority properties, bonds and revenues; providing for investment of funds by the Authority; providing for fiscal year of the Authority; providing severability; providing an effective date.

Proof of Publication attached.

By Representative David Clark and others—

**HB 3910**—A bill to be entitled An act relating to Palm Beach County; providing for an additional beverage license in such county, to be issued to American Legion Post 199, West Palm Beach, Florida, providing an effective date.

Proof of Publication attached.

—and requests the concurrence of the Senate therein.

*Respectfully,*  
*ALLEN MORRIS*  
*Clerk, House of Representatives*

*The Honorable John E. Mathews, Jr.*  
*President of the Senate*

April 29, 1970

Sir:

I am directed to inform the Senate that the House of Representatives has passed—

By Representative James and others—

**HB 3837**—A bill to be entitled An act relating to Palm Beach County; providing for an additional beverage license in such county, to be issued to Lake Worth Racquet Club, 4090 Cocanut Rd., Lake Worth, Fla., providing an effective date.

Proof of Publication attached.

By Representative Stevens and others—

**HB 3969**—A bill to be entitled An act authorizing the issuance of alcoholic beverage licenses in Pasco County, Florida, to restaurants accommodating 200 patrons or more and occupying more than 4,000 square feet of floor space; repealing Chapter 69-681, General Laws of Florida, Acts of 1969, but providing that all alcoholic beverage licenses heretofore issued under authority of said Chapter 69-681 in Pasco County, Florida, will remain in full force and effect; repealing all laws or parts of laws in conflict herewith; and providing an effective date.

Proof of Publication attached.

—and requests the concurrence of the Senate therein.

*Respectfully,*  
*ALLEN MORRIS*  
*Clerk, House of Representatives*

*The Honorable John E. Mathews, Jr.*  
*President of the Senate*

April 29, 1970

Sir:

I am directed to inform the Senate that the House of Representatives has passed as amended—

By Representative Andrews and others—

**HB 4052**—A bill to be entitled An act relating to Alachua County; providing that the limitation as to the number of alcoholic beverage licenses as provided by section 561.20(1), Florida Statutes, shall not prohibit issuance of such licenses to bona fide restaurants fulfilling certain requirements; providing an effective date.

Proof of Publication attached.

By Representatives Pratt and Gallen—

**HB 4236**—A bill to be entitled An act relating to the Court of Record in and for Manatee County, Florida; amending Section 7(a) of Chapter 69-743, Laws of Florida, and amending Section 20 of Chapter 68-79, Laws of Florida, providing and establishing the compensation and salary of the Judge of said Court and establishing the criminal jurisdiction of said Court of Record; providing an effective date.

Proof of Publication attached.

—and requests the concurrence of the Senate therein.

*Respectfully,*  
*ALLEN MORRIS*  
*Clerk, House of Representatives*

*The Honorable John E. Mathews, Jr.*  
*President of the Senate*

April 29, 1970

Sir:

I am directed to inform the Senate that the House of Representatives has passed—

By Representative David Clark and others—

**HB 3842**—A bill to be entitled An act relating to Palm Beach County; providing for an additional beverage license in such county, to be issued to Belle Glade Jaycees, Inc., in Belle Glade; providing an effective date.

Proof of Publication attached.

—and requests the concurrence of the Senate therein.

*Respectfully,*  
**ALLEN MORRIS**  
*Clerk, House of Representatives*

Evidence of notice and publication was established by the Senate as to House Bills 4373, 4376, 4377, 4306, 4311, 4312, 4318, 4196, 4204, 4205, 4022, 4130, 4381, 4382, 4289, 4290, 4291, 4167, 4181, 4183, 4292, 4295, 4305, 4206, 4270, 4287, 4154, 4165, 4166, 4332, 4346, 4349, 4350, 4351, 4352, 4371, 4184, 4188, 4194, 4434, 3910, 3837, 3969, 4052, 4236 and 3842.

House Bills 4373, 4376, 4377, 4306, 4311, 4312, 4318, 4196, 4204, 4205, 3961, 4022, 4130, 4381, 4382, 4289, 4290, 4291, 4167, 4181, 4183, 4292, 4295, 4305, 4206, 4270, 4287, 4154, 4165, 4166, 4332, 4346, 4349, 4350, 4351, 4352, 4371, 4184, 4188, 4194, 4434, 3910, 3837, 3969, 4052, 4236 and 3842, contained in the above messages, were read the first time by title and referred to the Committee on Rules and Calendar.

The Senate recessed at 8:44 a. m.

The Senate was called to order by the President at 9:00 a. m.

A quorum present—44:

Mr. President	Daniel	Horne	Saunders
Askew	Deeb	Johnson	Saylor
Bafalis	de la Parte	Karl	Scarborough
Barron	Ducker	Knopke	Shevin
Barrow	Fincher	Lane	Stolzenburg
Beaufort	Friday	Myers	Stone
Bell	Gong	Ott	Thomas
Bishop	Gunter	Plante	Trask
Boyd	Haverfield	Pope	Weber
Broxson	Henderson	Poston	Williams
Chiles	Hollahan	Reuter	Wilson

Excused: Senator Slade until 11:00 a.m. and Senator Young.

Prayer by the Senate Chaplain:

Lord, enable your servants  
To do their task  
with all boldness;  
Stretch your hand to guide them  
And cause right decisions to be made by them.

Dwell in each one richly,  
Counsel them with your wisdom,  
Give them peace.  
May they feel your hand placed  
in theirs and be strengthened.  
May it be a good day, and  
may all of us know why.  
To you we give thanks and praise. Amen.

The Journal of April 29 was corrected and approved as follows:

Page 249, counting from the bottom of column 1, strike lines 1 through 3 and insert the following:

**SB 972**—A bill to be entitled An Act relating to appointive county superintendents; amending Section 230.321; providing for duties and obligations of such appointive superintendent; providing for contracts of employment and salary of such superintendent; providing for an effective date.

Page 249, column 2, strike lines 1 and 2

The Journal of April 28 was corrected and approved as follows:

Page 241, column 2, line 26, strike "120" and insert 90

Page 246, counting from the bottom of column 2, line 2, strike "of contiguous territory"

The Journal of April 21 was further corrected and approved as follows:

Page 174, counting from the bottom of column 2, between lines 5 and 6 insert the following: The term ending date on the above reappointments is December 6, 1971.

Page 175, column 1, strike lines 8 and 9 and insert the following: Commander J. B. Krestensen, Saint Augustine, Florida, to the Port of Saint Augustine, Saint Johns County as Harbor Master. Term ending date is March 6, 1972. This is a reappointment.

## REPORTS OF COMMITTEES

The Committee on Education recommends the following pass: Senate Bills 627, 677, 678, 682, SB 570 with 4 amendments, SB 680 with 1 amendment, HB 399 with 4 amendments

The Committee on Insurance recommends the following pass: House Bills 1342 and 4114, CS for HB 403 and SB 900

The Committee on Ways and Means recommends the following pass: Senate Bills 659 and 758, HB 1408

The Committee on Natural Resources and Conservation recommends the following pass:

HB 1967	SCR 814 with 1 amendment
SCR 716	SB 595 with 2 amendments
SB 470	SB 329 with 3 amendments
SB 622 with 1 amendment	

The Committee on Rules and Calendar recommends the following pass: Senate Bills 499, 881, and SB 500 with 2 amendments

The Committee on Agriculture recommends the following pass: SB 827

The Committee on Transportation recommends the following pass: HB 848

The Committee on Judiciary recommends the following pass: House Bills 346, 371, 372, 468, 504 with 1 amendment, 511, 619 with 1 amendment, 625, 1968, 3920, 872 with 1 amendment, SB 417 with 1 amendment

The bills contained in the foregoing reports were placed on the Calendar.

The Committee on Natural Resources and Conservation recommends the following pass: SB 859 with 1 amendment

The Committee on Education recommends the following pass: Senate Bills 585, 635 with 3 amendments, 679, 681, 683

The bills were referred to the Committee on Ways and Means under the original reference.

The Committee on Natural Resources and Conservation recommends the following pass: SB 709 with 2 amendments

The bills contained in the foregoing reports were referred to the Committee on Governmental Organization under the original reference.

The Committee on Natural Resources and Conservation recommends the following pass: SB 197

The bill was referred to the Committee on Judiciary under the original reference.

The Committee on Judiciary recommends the following pass: SB 551 with 1 amendment

The bill was referred to the Committee on Insurance under the original reference.

The Committee on Ways and Means recommends a Committee Substitute for the following: SB 84

The bill with Committee Substitute attached was placed on the Calendar.

The Committee on Natural Resources and Conservation recommends Committee Substitutes for the following: SB 271 with 1 amendment, SB 587

The bills with Committee Substitutes attached were referred to the Committee on Ways and Means under the original reference.

The Committee on Ways and Means recommends the following not pass: SB 249

The Committee on Rules and Calendar recommends the following not pass: SCR 788, Senate Bills 884 and 100, HB 1160

The Committee on Transportation recommends the following not pass: Senate Bills 143, 236, 489, 508

The Committee on Insurance recommends the following not pass: HB 4109

The Committee on Natural Resources and Conservation recommends the following not pass: Senate Bills 715 and 698

The Committee on Education recommends the following not pass: Senate Bills 343, 344, 78, 95, 614

The Committee on Judiciary recommends the following not pass: House Bills 879, 730, 3487

The bills contained in the foregoing reports were laid on the table.

#### REPORTS OF THE COMMITTEE ON RULES AND CALENDAR

The Committee on Rules and Calendar reported that the schedule for the week of May 4 through May 8, 1970 will be the same as this week's schedule with the exception that the three sessions will be from 9:00 a.m. to 12:30 p.m. In addition the Committee gave notice to the Senators that the Committee anticipates adding Monday as a session day the following week.

The Committee on Rules and Calendar advised the Senate that Monday, May 4, at 4:30 p.m. is the deadline for filing bills to be acted upon this session.

The Committee on Rules and Calendar referred the following bills to the Local Calendar: SB 511 with 1 amendment, House Bills 3833, 3834, 3832 with 2 amendments, and 3844 with 1 amendment.

Senator Friday, chairman of the Committee on Rules and Calendar, announced that after five days from the day of introduction of a bill, the notation in the Journal showing the names of Senators as co-introducers will be only on the day the request was made.

#### BILLS REFERRED TO SUBCOMMITTEES

Senate Bills 144 and 747 withdrawn from Public Schools Subcommittee (April 29)

SB 663 withdrawn from Junior Colleges and Vocational-Technical Subcommittee (April 29)

State Government: Senate Bills 709, 956, 987 and CS for SB 132 (10 days to report to the Committee on Governmental Organization)

Local Government: Senate Bills 863 and 869 (10 days to report to the Committee on Governmental Organization)

Labor and Industrial Relations: SB 1004 (7 days to report to the Committee on Judiciary)

Jurisprudence: Senate Bills 1002, 1005, 1006, 1001 and 997 (7 days to report to the Committee on Judiciary)

Personnel and Retirement: Senate Bills 585 and 985 (14 days to report to the Committee on Ways and Means)

Taxation: SB 683 and CS for SB 733 (13 days to report to the Committee on Ways and Means)

Appropriations: CS for Senate Bills 634 and 349, Senate Bills 635 and 859 (13 days to report to the Committee on Ways and Means)

#### ENGROSSING REPORTS

Your Engrossing Clerk to whom was referred—

SB 11 with 1 amendment      SB 371 with 1 amendment  
SB 320 with 1 amendment      SJR 19 with 6 amendments

—reports that the Senate amendments have been incorporated and the bills are returned herewith.

*EDWIN G. FRASER*  
*Secretary of the Senate*

The bills were certified to the House.

#### MOTIONS RELATING TO COMMITTEE REFERENCE

On motion by Senator Friday, by two-thirds vote, SB 942 was withdrawn from the Committee on Rules and Calendar and placed on the local calendar.

Unanimous consent was granted Senator Karl to take up out of order—

**SB 942**—A bill to be entitled An act to establish a charter government for Volusia County; to provide for the separation of powers; to establish a legislative body; to establish an administrative branch; to provide for the continuation of the existing judicial system; to establish departments of county government; to provide authority for the appointment of advisory, adjustment and regulatory boards; to provide for a system of elections for county officers; to provide for a uniform personnel administration system; to provide for a unified budget system for the county; to provide for the consolidation into the charter government of the amendment of the acts creating certain boards, districts, authorities and agencies including; east volusia navigation district, chapter 37-18967; halifax area research commission, chapter 59-1950; halifax drainage district, chapter 19-7968; halifax river waterways improvement district, chapter 53-29596; lake ashby drainage district, chapter 18-7760; new smyrna inlet district, chapter 25-10448; north ormond drainage district, chapter 27-12107; northeast volusia development authority, chapter 61-02977; south county drainage district, chapter 67-1022; turnbull hammock drainage district, chapter 17-7611; volusia county sanitary district, chapter 53-29587; volusia county water and sewer district, chapter 59-1951; volusia county water district, chapter 51-27960; water conservation and control authority, chapter 63-1019; daytona beach special road and bridge district, chapter 25-11783; deland-lake helen special road and bridge district, chapter 25-11275; deleon springs-glenwood special road and bridge district, chapter 27-13493; deleon springs-seville special road and bridge district, chapter 21-8851; east volusia special road and bridge district, chapter 55-31335; halifax-st. johns river road and bridge district, chapter 27-498; halifax special road and bridge district, chapter 27-13514; lake helen-osteen special road and bridge district, chapter 23-9654; new smyrna-coronado beach special road and bridge district, chapter 27-13497; new smyrna beach special road and bridge district, chapter 19-8205; orange city-enterprise special road and bridge district, chapter 23-9653; orange city-lake helen special road and bridge district, chapter 27-13496; ormond special road and bridge district, chapter 27-13495; osteen-enterprise special road and bridge district, chapter 29-14447; osteen-maytown, oak hill special road and bridge district, chapter 27-13491; port orange-inlet special road and bridge district, chapter 27-13492; port orange-south peninsula special road and bridge district, chapter 49-26288; port orange special road and bridge district,

chapter 41-21057; east volusia special road and bridge district, chapter 53-29581; special road and bridge district, chapter 61-2973; turnbull special road and bridge district, chapter 23-9051; east volusia mosquito control district, chapter 37-18963; ponce deleon inlet and port authority, chapter 65-2363; halifax advertising tax district, chapter 49-26294; to authorize the levy of ad valorem and other taxes; to authorize the performance of municipal services by the county; to authorize the pledging of taxes to bond issues; to repeal certain laws; to provide for an administrative code; to provide for referendum and effective date.

—which was read the second time by title. On motion by Senator Karl, the rules were waived and SB 942 was read the third time by title, passed and certified to the House. The vote was: Yeas—37 Nays—None

Mr. President	de la Parte	Lane	Stolzenburg
Barrow	Fincher	Myers	Stone
Beaufort	Friday	Ott	Thomas
Bell	Gong	Plante	Trask
Bishop	Gunter	Pope	Weber
Boyd	Henderson	Poston	Williams
Broxson	Horne	Saunders	Wilson
Chiles	Johnson	Saylor	
Daniel	Karl	Scarborough	
Deeb	Knopke	Shevin	

On motion by Senator Deeb, by two-thirds vote, SB 874 was withdrawn from the Committee on Commerce and Licensed Businesses and from the Senate.

On motion by Senator Thomas, the rules were waived and the Committee on Agriculture was granted an additional 10 days for the consideration of SB 735.

On motion by Senator Horne, the rules were waived and the Committee on Judiciary was granted an additional 15 days for the consideration of all bills now in the Committee.

On motion by Senator Pope, the rules were waived and the Committee on Transportation was granted an additional 10 days for the consideration of Senate Bills 114, 348, 350, 357, 475, 581, and 695.

On motion by Senator de la Parte, the rules were waived and the Committee on Health, Welfare, and Institutions was granted an additional 14 days for the consideration of Senate Bills 296, 545, 562 and CS for SB 480.

On motion by Senator Knopke, the rules were waived and the Committee on Natural Resources and Conservation was granted an additional 14 days for the consideration of Senate Bills 632, 591, 592, 145, 151, 251, 253, 254, 372, 433, 434, 435, 437, 445, 450, 458, 459, 460, 465, 515, 519, 521, 523, 693, 697 and HB 1136.

On motion by Senator Beaufort, Rule 2.5 was waived and the special committee of the Committee on Transportation was granted permission to meet this day instead of May 1 as shown on the Calendar.

On motion by Senator Askew, Rule 2.5 was waived and the Committee on Constitutional Amendments and Revision was granted permission to consider SJR 1003 at the scheduled meeting this day.

On motion by Senator Thomas, Rule 2.5 was waived and the Committee on Judiciary was granted permission to consider SB 278 at the scheduled meeting this day.

The President announced that the Committee on Ethics would meet Monday, May 4, at 6:30 p.m. to consider all bills in the Committee.

On motion by Senator Friday, the Senate proceeded to the consideration of—

#### EXECUTIVE BUSINESS

On motion by Senator Knopke, the rules were waived and the Senate took up in open Session the following—

#### REPORT OF COMMITTEE ON EXECUTIVE APPOINTMENTS

*Senator John E. Mathews, Jr.  
President, The Florida Senate  
The Capitol*

April 29, 1970

*Dear Mr. President:*

Your standing committee on Natural Resources and Conservation to which was referred for consideration the following appointments subject to confirmation by the Senate:

NAME	OFFICE	FOR TERM ENDING
G. D. Auchter, Jr. Jacksonville	Member, The Jacksonville Port Authority, Duval County	June 25, 1972
Oliver S. Wittmer St. Petersburg	Member, Board of Pilot Commissioners for the Port of St. Petersburg, State of Florida Department of Professional and Occupational Regulation	January 12, 1973
Athelstan Spilhaus Palm Beach	Member, Commission on Marine Sciences and Technology	January 5, 1971
F. G. Walton Smith Miami	Member, Commission on Marine Sciences and Technology	January 5, 1971

—after full inquiry hereby tender as the recommendation of this Committee that the Senate advise and consent to the aforesaid appointments made by the Governor.

Respectfully submitted, RAY C. KNOPKE, Chairman W. E. BISHOP JOHN L. DUCKER WARREN S. HENDERSON RALPH R. POSTON	ELMER O. FRIDAY, JR. Vice-Chairman CHARLES H. WEBER LEE WEISSENBORN J. H. WILLIAMS
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On motions by Senator Knopke, the Report of the Committee was adopted, the rules were waived and the Senate in open Session advised and consented to the aforesaid appointments made by the Governor, as contained and set forth in the foregoing Report. The vote was: Yeas—37 Nays—None

Mr. President	Fincher	Lane	Stolzenburg
Bafalis	Friday	Myers	Stone
Barrow	Gong	Ott	Thomas
Beaufort	Gunter	Plante	Trask
Bell	Henderson	Pope	Weber
Bishop	Hollahan	Poston	Williams
Boyd	Horne	Reuter	Wilson
Broxson	Johnson	Saunders	
Chiles	Karl	Saylor	
de la Parte	Knopke	Scarborough	

By direction of the President, the Secretary read the following—

#### MESSAGES FROM THE GOVERNOR

*Honorable John E. Mathews  
President of the Senate  
The Capitol*

April 29, 1970

*Dear Mr. President:*

It is my pleasure to inform the Senate of the following appointment and respectfully request confirmation thereof:

J. Pat Corrigan, Vero Beach, to the Florida Land Sales Board, State of Florida, Department of Business Regulation. This is a

reappointment and the term ending date is February 7, 1972.

Sincerely,  
CLAUDE R. KIRK, JR.  
Governor

Which was referred to the Committee on Commerce and Licensed Businesses.

Honorable John E. Mathews  
President of the Senate  
The Capitol

April 29, 1970

Dear Mr. President:

It is my pleasure to inform the Senate of the following appointments to the Industry Services Advisory Board and respectfully request confirmation thereof:

Paul C. Starr  
Pensacola, Florida,  
for a term ending  
December 27, 1973

Charlie Harris  
Miami, Florida,  
for a term ending  
January 9, 1974

Mr. Starr succeeds Milton J. Richardson, whose term has expired, and Mr. Harris has been reappointed.

Sincerely,  
CLAUDE R. KIRK, JR.  
Governor

Which were referred to the Committee on Education.

By direction of the President, the Secretary read the following message from the—

#### DEPARTMENT OF BUSINESS REGULATION

Honorable John E. Mathews, Jr.  
President  
Florida State Senate  
The Capitol

April 16, 1970

Dear Mr. President:

This will certify that Mr. Stokely D. Hays, IV, has been appointed by the Board of Business Regulation, subject to Senate confirmation, as Director of the Division of General Regulation of this Department.

Since he is subject to Senate confirmation, I would like to request that he be brought before the appropriate Committee for Senate action.

Sincerely,  
A. R. BRAUTIGAM  
Executive Director

Which was referred to the Committee on Commerce and Licensed Businesses.

#### MESSAGES FROM THE HOUSE OF REPRESENTATIVES

The Honorable John E. Mathews, Jr.  
President of the Senate

April 29, 1970

Sir:

I am directed to inform the Senate that the House of Representatives has passed SB 248.

Respectfully,  
ALLEN MORRIS  
Clerk, House of Representatives

The bill, contained in the above message, was ordered enrolled.

#### SECOND READING

SCR 716—A concurrent resolution commending Congress for its wisdom and foresight in passing the Endangered Wildlife Bill, H. R. 11363.

WHEREAS, the State of Florida has, by virtue of its geography and geology, been blessed with an incomparable landscape of springs, streams, lakes, bays, beaches, dunes and woodlands which shelter and support bountiful populations and myriad species of fish and wildlife, and

WHEREAS, these features of Floridian terrain provide a variety of fish and wildlife habitats which are rapidly being altered or diminished by human population demands and the Twentieth Century mode of living, and

WHEREAS, the State of Florida has, through the promulgation and enforcement of appropriate laws, afforded protection to its fish and wildlife resources to the fullest extent consistent with preservation of its habitat, and

WHEREAS, regardless of these efforts, the State of Florida, through the recited loss of habitat, altered environment, and associated human activities, finds itself faced with decimation, extirpation, or extinction of numerous species of fish and wildlife unique to the state and which collectively reflect the image and heritage of Florida to wit:

Florida Panther  
Florida Manatee  
Key Deer  
Florida Round-tailed Muskrat  
Everglades Mink  
Florida Everglade Kite  
Southern Bald Eagle  
American Peregrine Falcon  
Florida Sandhill Crane  
American Ivory-billed Woodpecker  
Dusky Seaside Sparrow  
Cape Sable Sparrow  
Great White Heron  
Eastern Reddish Egret  
Roseate Spoonbill  
Wood Ibis  
Florida Mangrove Cuckoo  
Eastern Brown Pelican  
Florida Scrub Jay  
American Alligator  
American Crocodile  
Indigo Snake  
Green Turtle  
Atlantic Sturgeon  
Suwannee Bass  
Okaloosa Darter,

and

WHEREAS, the Congress of the United States, during its 91st Session, recognized the precarious status of various fish and wildlife to be continental in scope and accordingly passed the Endangered Wildlife Bill, H. R. 11363, NOW, THEREFORE,

Be It Resolved by the Senate of the State of Florida, the House of Representatives Concurring:

That the Congress of the United States be commended for its wisdom and foresight in the passage of this vital legislation.

BE IT FURTHER RESOLVED that the Legislature of the State of Florida fully endorses its concept, and urges all Americans, within and without the boundaries of Florida, to lend individual and collective support to the objectives of such legislation so as to preserve for future generations those creatures which were enjoyed by our forefathers and which are now the responsibility of our present society.

BE IT FURTHER RESOLVED that copies of this resolution be dispatched to the President of the United States Senate, to the Speaker of the United States House of Representatives, and to each member of the Florida delegation to the United States Congress.

Was taken up and read the second time in full. On motion by Senator Ducker, SCR 716 was adopted and certified to the House. The vote was: Yeas—36 Nays—None

Mr. President	Deeb	Horne	Saunders
Askew	de la Parte	Johnson	Saylor
Bafalis	Ducker	Karl	Scarborough
Barron	Friday	Knopke	Shevin
Beaufort	Gong	Myers	Stolzenburg
Bell	Gunter	Ott	Thomas
Bishop	Haverfield	Plante	Trask
Boyd	Henderson	Poston	Williams
Broxson	Hollahan	Reuter	Wilson

**SCR 814**—A concurrent resolution relating to the conservation of the water supply of the Everglades National Park; urging the purchase of certain lands in Monroe and Collier Counties to that end.

WHEREAS, the southwestern tip of Florida, including those areas known as the Big Cypress Swamp and the Everglades National Park, is a biologically unique area of the world, and

WHEREAS, the Everglades National Park has been established in an attempt to preserve a portion of this area in its natural state, and

WHEREAS, because of water flow and other related natural phenomenon the functioning of said park as a natural ecosystem is directly affected by that portion of the Big Cypress Swamp immediately north of the Everglades National Park, and

WHEREAS, the establishment of an area to be left basically in its natural state immediately north of the park would serve as a buffer between the park and intensive agricultural, urban and other development anticipated for those portions of the state north of the said area, and

WHEREAS, much of the area immediately north of Everglades National Park remains basically in its natural state partially because of its rocky and otherwise difficult terrain, and

WHEREAS, such a buffer area would continue to have tremendous value for various types of outdoor recreation, including hunting, fishing, camping, and general enjoyment of wilderness-oriented pursuits, NOW, THEREFORE,

*Be It Resolved by the Senate of the State of Florida, the House of Representatives Concurring:*

That the State of Florida is urged to make every possible effort in conjunction with the federal government to acquire those lands bordered on the north by Alligator Alley, on the west by State Road 29, on the south by the Everglades National Park, and on the east by the L-28 Canal, or any major portion of said area that can be acquired. It would be the intent upon acquisition of said lands to maintain this area in its natural state and to restrict development to that necessary to provide access and primitive facilities consistent with the primary purpose of maintaining a semiwilderness situation available for hunting, fishing, camping, and general enjoyment of wilderness-oriented pursuits.

Was taken up and read the second time in full.

The Committee on Natural Resources and Conservation offered the following amendment which was adopted on motion by Senator Thomas:

Line 15, page 2, strike the period and insert the following: , and on the west side of road 29 the area known as the Fahkahatchee Strand.

On motion by Senator Thomas, SCR 814 as amended was read in full, adopted and ordered engrossed. The vote was: Yeas—36 Nays—None

Mr. President	Broxson	Johnson	Saylor
Askew	Deeb	Karl	Scarborough
Bafalis	de la Parte	Knopke	Shevin
Barron	Ducker	Myers	Stolzenburg
Barrow	Gong	Ott	Stone
Beaufort	Gunter	Plante	Thomas
Bell	Haverfield	Pope	Trask
Bishop	Hollahan	Poston	Williams
Boyd	Horne	Saunders	Wilson

Consideration of HCR 3966 was deferred, the bill retaining its place on the Calendar.

**HCR 3929**—A concurrent resolution commending Samuel Raymond Graves, head football coach at the University of Florida, upon his retiring from active coaching.

WHEREAS, for the past ten years, Samuel Raymond Graves has ably served the University of Florida and the State of Florida as Head Football Coach of the University, and

WHEREAS, under his vigorous leadership and guidance the University of Florida football and athletic programs have grown in both size and stature until now Florida is recognized annually as one of the leading collegiate football teams in our nation, and

WHEREAS, in the ten seasons Coach Graves has guided the Florida football team, the team has finished in the first division of the Southeastern Conference eight of those ten years, and

WHEREAS, in the ten years that he has been at the University of Florida, the Florida football team has gone to postseason bowl games five times where they continued their tradition of winning, and

WHEREAS, since Samuel Raymond Graves came to the University of Florida, the Gator football team has accumulated a record of seventy wins, thirty-one losses and four ties, and

WHEREAS, in addition to all his feats on the fields of competition, Samuel Raymond "Ray" Graves has made a significant contribution toward developing good moral character and perspective in the athletes who have worked for him, and in developing these men, not only as excellent players, but as students and citizens, NOW, THEREFORE,

*Be It Resolved by the House of Representatives of the State of Florida, the Senate Concurring:*

That the 1970 Legislature of Florida recognize and pay tribute to the distinguished record of service made by Coach Samuel Raymond "Ray" Graves in the ten years he has devoted himself to the cause of University of Florida football.

BE IT FURTHER RESOLVED that copies of this concurrent resolution be sent to Coach "Ray" Graves and to the Athletic Department, University of Florida.

Was taken up. On motion by Senator Saunders the rules were waived and HCR 3929 was read the second time by title, adopted and certified to the House. The vote was: Yeas—41 Nays—None

Mr. President	Deeb	Karl	Scarborough
Askew	Ducker	Knopke	Shevin
Bafalis	Fincher	Lane	Stolzenburg
Barron	Friday	Myers	Stone
Barrow	Gong	Ott	Thomas
Beaufort	Gunter	Plante	Trask
Bell	Haverfield	Pope	Williams
Bishop	Henderson	Poston	Wilson
Boyd	Hollahan	Reuter	
Broxson	Horne	Saunders	
Chiles	Johnson	Saylor	

Consideration of SB 60 was deferred, the bill retaining its place on the Calendar.

**SB 29**—A bill to be entitled An act relating to the board of regents; amending section 240.052(2), Florida Statutes, by adding paragraph (d), regulating admission of transfer students to the state university system; providing an effective date.

Was taken up and read the second time by title.

The Committee on Education offered the following amendment which was moved by Senator Wilson and failed:

In Section 1, page 1, strike all of lines 20 through 23 and insert the following: student to any state university or college either as a new applicant, an applicant for continuation of his studies, or as a transfer student, may be denied admission if found to have

The Committee on Education also offered the following amendment which was moved by Senator Wilson and failed:

In Section 1, line 20, page 1, strike "or junior college" and on same line strike comma between "university" and "college" and add: or

Senator Haverfield offered the following amendment which was adopted:

In Section 1, line 20, page 1, strike "college or junior college, either as a new applicant, an applicant for continuation of his studies, or as a transfer student, shall" and insert the following: either as a new applicant, an applicant for continuation of his studies, or as a transfer student, may

On motion by Senator Wilson, the rules were waived and SB 29 as amended was read the third time by title, passed and ordered engrossed. The vote was: Yeas—39 Nays—None

Mr. President	Deeb	Johnson	Scarborough
Askew	de la Parte	Knopke	Shevin
Bafalis	Ducker	Lane	Stolzenburg
Barron	Friday	Myers	Stone
Barrow	Gong	Ott	Thomas
Beaufort	Gunter	Plante	Trask
Bell	Haverfield	Pope	Weissenborn
Bishop	Henderson	Poston	Williams
Boyd	Hollahan	Reuter	Wilson
Broxson	Horne	Sayler	

**SJR 557**—A joint resolution proposing an amendment to Section 6 of Article VII of the Constitution of the State of Florida, providing for ten thousand dollars (\$10,000) home-stead exemptions for persons resident for at least the five (5) preceding years in Florida who are sixty-five (65) years of age or older or who are totally and permanently disabled.

Was taken up and read the second time by title.

Senator Thomas offered the following amendment:

In Section 6, line 25, page 2, strike the period and insert the following: ; provided, however, such person's adjusted gross income as reported the preceding year to the United States Treasury Department did not exceed five thousand (\$5,000) dollars.

Senator Sayler offered the following amendment to the amendment which was adopted:

strike "5,000" and insert 4,000

Senator Thomas offered the following substitute amendment for the amendment as amended which was adopted:

In Section 6, line 25, page 2, strike the period and add the following: provided, however, the legislature may provide by law that adjusted gross income as defined in the United States Internal Revenue Code cannot exceed a certain amount before such additional exemption can be granted.

Senator Horne presiding.

The vote was:

Yeas—20

Askew	Ducker	Myers	Thomas
Bishop	Henderson	Plante	Trask
Boyd	Hollahan	Poston	Weber
Broxson	Horne	Saunders	Williams
Deeb	Karl	Sayler	Wilson

Nays—18

Mr. President	Bell	Johnson	Scarborough
Bafalis	de la Parte	Knopke	Stolzenburg
Barron	Fincher	Lane	Stone
Barrow	Gunter	Pope	
Beaufort	Haverfield	Reuter	

Senator Sayler offered the following amendment which failed:

In Section 6, line 5, page 3, add a new paragraph to read: The revenue loss to the municipalities, counties and county school boards caused by this resolution shall be re-imbursed to the municipalities, counties and county school boards from the general revenue fund of the state.

The vote was:

Yeas—14

Bell	Henderson	Myers	Plante
Boyd	Lane	Ott	Reuter

Saunders	Stolzenburg	Trask	Wilson
Sayler	Stone		

Nays—21

Mr. President	Chiles	Gong	Poston
Askew	Deeb	Haverfield	Scarborough
Bafalis	de la Parte	Hollahan	Williams
Barron	Ducker	Horne	
Barrow	Fincher	Johnson	
Beaufort	Friday	Pope	

Senator Wilson offered and moved the following amendment:

Insert the following new section:

Article VII, Section 1(b) is hereby amended as follows: Motor vehicles, boats, airplanes, trailers, trailer coaches and mobile homes as defined by law shall be subject to license tax for their operation in the amounts and for the purposes prescribed by law.

The President presiding.

Senator de la Parte raised a point of order as to whether the amendment was germane to the joint resolution.

The Chair ruled that the point was well taken and that the amendment was out of order.

He stated the constitution provided three different approaches, giving the legislature the power to (1) amend a section, (2) to revise one or more articles, or (3) to propose an entirely new constitution. He stated that the joint resolution as proposed, is an attempt to amend a section of the constitution and that the only way the attempted change, as contemplated by the amendment by Senator Wilson, could be accomplished would be to change the joint resolution from a proposal to amend the section to a complete revision of the article.

On motion by Senator Hollahan, the Senate reconsidered the vote by which the amendment offered by Senator Sayler failed. The vote was:

Yeas—21

Beaufort	Hollahan	Poston	Stone
Bell	Horne	Reuter	Weber
Boyd	Johnson	Saunders	Wilson
Ducker	Lane	Sayler	
Haverfield	Myers	Scarborough	
Henderson	Ott	Stolzenburg	

Nays—20

Askew	Daniel	Gong	Pope
Barron	Deeb	Gunter	Shevin
Barrow	de la Parte	Karl	Thomas
Broxson	Fincher	Knopke	Trask
Chiles	Friday	Plante	Williams

The question recurred on the adoption of the amendment which failed. The vote was:

Yeas—21

Bafalis	Henderson	Plante	Stone
Beaufort	Hollahan	Poston	Weber
Bell	Johnson	Reuter	Wilson
Boyd	Lane	Saunders	
Ducker	Myers	Sayler	
Haverfield	Ott	Slade	

Nays—23

Mr. President	Daniel	Gunter	Shevin
Askew	Deeb	Horne	Stolzenburg
Barron	de la Parte	Karl	Thomas
Barrow	Fincher	Knopke	Trask
Broxson	Friday	Pope	Williams
Chiles	Gong	Scarborough	

Senator Wilson offered and moved the following amendment:

Line 16, page 1, strike: entire remainder of SJR and insert the following



That the following amendment to Article VII of the State Constitution is agreed to and shall be submitted to the electors of Florida for ratification or rejection at the general election to be held in November 1970:

## ARTICLE VII FINANCE AND TAXATION

### Sec.

1. Taxation; appropriations; state expenses.
2. Taxes; rate.
3. Taxes; exemptions.
4. Taxation; assessments.
5. Estate, inheritance and income taxes.
6. Homestead exemptions.
7. Allocation of pari-mutuel taxes.
8. Aid to local governments.
9. Local taxes.
10. Pledging credit.
11. State bonds; revenue bonds.
12. Local bonds.
13. Relief from illegal taxes.

### SECTION 1. Taxation; appropriations; state expenses.—

(a) No tax shall be levied except in pursuance of law. No state ad valorem taxes shall be levied upon real estate or tangible personal property. All other forms of taxation shall be preempted to the state except as provided by general law.

(b) Motor vehicles, boats, airplanes, trailers, trailer coaches and mobile homes, as defined by law, shall be subject to a license tax for their operation in the amounts and for the purposes prescribed by law.

(c) No money shall be drawn from the treasury except in pursuance of appropriation made by law.

(d) Provision shall be made by law for raising sufficient revenue to defray the expenses of the state for each fiscal period.

**SECTION 2. Taxes; rate.**—All ad valorem taxation shall be at a uniform rate within each taxing unit, except the taxes on intangible personal property may be at different rates but shall never exceed two mills on the dollar of assessed value; provided, as to any obligations secured by mortgage, deed of trust, or other lien on real estate wherever located, an intangible tax of not more than two mills on the dollar may be levied by law to be in lieu of all other intangible assessments on such obligations.

### SECTION 3. Taxes; exemptions.—

(a) All property owned by a municipality and used exclusively by it for municipal or public purposes shall be exempt from taxation. A municipality, owning property outside the municipality, may be required by general law to make payment to the taxing unit in which the property is located. Such portions of property as are used predominantly for educational, literary, scientific, religious or charitable purposes may be exempted by general law from taxation.

(b) There shall be exempt from taxation, cumulatively, to every head of a family residing in this state, household goods and personal effects to the value fixed by general law, not less than one thousand dollars, and to every widow or person who is blind or totally and permanently disabled, property to the value fixed by general law not less than five hundred dollars.

**SECTION 4. Taxation; assessments.**—By general law regulations shall be prescribed which shall secure a just valuation of all property for ad valorem taxation, provided:

(a) Agricultural land or land used exclusively for non-commercial recreational purposes may be classified by general law and assessed solely on the basis of character or use.

(b) Pursuant to general law tangible personal property held for sale as stock in trade and livestock may be valued for taxation at a specified percentage of its value.

**SECTION 5. Estate, inheritance and income taxes.**—No tax upon estates or inheritances or upon the income of residents or citizens of the state shall be levied by the state, or under its authority, in excess of the aggregate of amounts which may be allowed to be credited upon or deducted from any similar tax levied by the United States or any state.

### SECTION 6. Homestead exemptions.—

(a) Every person who has the legal or equitable title to real estate and maintains thereon the permanent residence of the owner, or another legally or naturally dependent upon the owner, shall be exempt from taxation thereon, except assessments for special benefits, up to the assessed valuation of five thousand dollars, upon establishment of right thereto in the manner prescribed by law. The real estate may be held by legal or equitable title, by the entireties, jointly, in common, as a condominium, or indirectly by stock ownership or membership representing the owner's or member's proprietary interest in a corporation owning a fee or a leasehold initially in excess of ninety-eight years.

(b) Not more than one exemption shall be allowed any individual or family unit or with respect to any residential unit. No exemption shall exceed the value of the real estate assessable to the owner or, in case of ownership through stock or membership in a corporation, the value of the proportion which his interest in the corporation bears to the assessed value of the property.

(c) By general law and subject to conditions specified therein, the exemption may be increased up to an amount not exceeding ten thousand dollars of the assessed value of the real estate if the owner has attained age sixty-five or is totally and permanently disabled.

**SECTION 7. Allocation of pari-mutuel taxes.**—Taxes upon the operation of pari-mutuel pools may be preempted to the state or allocated in whole or in part to the counties. When allocated to the counties, the distribution shall be in equal amounts to the several counties.

**SECTION 8. Aid to local governments.**—State funds may be appropriated to the several counties, school districts, municipalities or special districts upon such conditions as may be provided by general law.

### SECTION 9. Local taxes.—

(a) Counties, school districts, and municipalities shall, and special districts may, be authorized by law to levy ad valorem taxes and may be authorized by general law to levy other taxes, for their respective purposes, except ad valorem taxes on intangible personal property and taxes prohibited by this constitution.

(b) Ad valorem taxes, exclusive of taxes levied for the payment of bonds and taxes levied for periods not longer than two years when authorized by vote of the electors who are the owners of freeholds therein not wholly exempt from taxation, shall not be levied in excess of the following millages upon the assessed value of real estate and tangible personal property: for all county purposes, ten mills; for all municipal purposes, ten mills; for all school purposes, ten mills; and for special districts a millage authorized by law approved by vote of the electors who are owners of freeholds therein not wholly exempt from taxation. A county furnishing municipal services may, to the extent authorized by law, levy additional taxes within the limits fixed for municipal purposes.

**SECTION 10. Pledging credit.**—Neither the state nor any county, school district, municipality, special district, or agency of any of them, shall become a joint owner with, or stockholder of, or give, lend or use its taxing power or credit to aid any corporation, association, partnership or person; but this shall not prohibit laws authorizing:

(a) the investment of public trust funds;

(b) the investment of other public funds in obligations of, or insured by, the United States or any of its instrumentalities;

(c) the issuance and sale by any county, municipality, special district or other local governmental body of (1) revenue bonds to finance or refinance the cost of capital projects for airports or port facilities, or (2) revenue bonds to finance or refinance the cost of capital projects for industrial or manufacturing plants to the extent that the interest thereon is exempt from income taxes under the then existing laws of the United States, when, in either case, the revenue bonds are payable solely from revenue derived from the sale, operation or leasing of the projects. If any project so financed, or any part thereof, is occupied or operated by any private corporation, association, partnership or person pursuant to contract or lease with the issuing body, the property interest created by such

contract or lease shall be subject to taxation to the same extent as other privately owned property.

#### SECTION 11. State bonds; revenue bonds.—

(a) State bonds pledging the full faith and credit of the state may be issued only to finance or refinance the cost of state capital projects upon approval by a vote of the electors; provided state bonds issued pursuant to this subsection (a) may be refunded without a vote of the electors at a lower net average interest cost rate. The total outstanding principal of state bonds issued pursuant to this subsection (a) shall never exceed fifty per cent of the total tax revenues of the state for the two preceding fiscal years.

(b) Moneys sufficient to pay debt service on state bonds as the same becomes due shall be appropriated by law.

(c) Revenue bonds may be issued by the state or its agencies without a vote of the electors only to finance or refinance the cost of state capital projects and shall be payable solely from funds derived from sources other than state tax revenues or rents or fees paid from state tax revenues.

**SECTION 12. Local bonds.**—Counties, school districts, municipalities, special districts and local governmental bodies with taxing powers may issue bonds, certificates of indebtedness or any form of tax anticipation certificates, payable from ad valorem taxation and maturing more than twelve months after issuance only:

(a) to finance or refinance capital projects authorized by law and only when approved by vote of the electors who are owners of freeholds therein not wholly exempt from taxation; or

(b) to refund outstanding bonds and interest and redemption premium thereon at a lower net average interest cost rate.

**SECTION 13. Relief from illegal taxes.**—Until payment of all taxes which have been legally assessed upon the property of the same owner, no court shall grant relief from the payment of any tax that may be illegal or illegally assessed.

Senator de la Parte raised a point of order that the amendment was not germane in that it attempted to convert the revision of a section into the revision of an article.

The chair ruled that the amendment was in order in that the joint resolution before the Senate addressed itself to a revision of a section dealing with homestead exemption. The chair stated he construed the amendment as striking everything after the resolving clause and inserting the body of a new Article VII; that rule 7.4 authorized striking all after the enacting or resolving clause of a bill or joint resolution and inserting new matter of the same general subject as stated in the original title; and, therefore, as the amendment deals with the general subject of finance and taxation, the amendment was in order and the point was not well taken.

The question recurred on the adoption of the amendment which failed.

Senator Wilson also offered the following amendment which failed:

Line 16, page 1, strike: entire remainder of SJR and insert the following:

That the following amendment to Article VII of the State Constitution is agreed to and shall be submitted to the electors of Florida for ratification or rejection at the general election to be held in November 1970:

#### ARTICLE VII FINANCE AND TAXATION

Sec.

1. Taxation; appropriations; state expenses.
2. Taxes; rate.
3. Taxes; exemptions.
4. Taxation; assessments.
5. Estate, inheritance and income taxes.
6. Homestead exemptions.
7. Allocation of pari-mutuel taxes.
8. Aid to local governments.
9. Local taxes.

10. Pledging credit.
11. State bonds; revenue bonds.
12. Local bonds.
13. Relief from illegal taxes.

#### SECTION 1. Taxation; appropriations; state expenses.—

(a) No tax shall be levied except in pursuance of law. No state ad valorem taxes shall be levied upon real estate or tangible personal property. All other forms of taxation shall be preempted to the state except as provided by general law.

(b) Motor vehicles, boats, airplanes, trailers, trailer coaches and mobile homes, as defined by law, shall be subject to a license tax for their operation in the amounts and for the purposes prescribed by law, but shall not be subject to ad valorem taxes.

(c) No money shall be drawn from the treasury except in pursuance of appropriation made by law.

(d) Provision shall be made by law for raising sufficient revenue to defray the expenses of the state for each fiscal period.

**SECTION 2. Taxes; rate.**—All ad valorem taxation shall be at a uniform rate within each taxing unit, except the taxes on intangible personal property may be at different rates but shall never exceed two mills on the dollar of assessed value; provided, as to any obligations secured by mortgage, deed of trust, or other lien on real estate wherever located, an intangible tax of not more than two mills on the dollar may be levied by law to be in lieu of all other intangible assessments on such obligations.

#### SECTION 3. Taxes; exemptions.—

(a) All property owned by a municipality and used exclusively by it for municipal or public purposes shall be exempt from taxation. A municipality, owning property outside the municipality, may be required by general law to make payment to the taxing unit in which the property is located. Such portions of property as are used predominantly for educational, literary, scientific, religious or charitable purposes may be exempted by general law from taxation.

(b) There shall be exempt from taxation, cumulatively, to every head of a family residing in this state, household goods and personal effects to the value fixed by general law, not less than one thousand dollars, and to every widow or person who is blind or totally and permanently disabled, property to the value fixed by general law not less than five hundred dollars.

**SECTION 4. Taxation; assessments.**—By general law regulations shall be prescribed which shall secure a just valuation of all property for ad valorem taxation, provided:

(a) Agricultural land or land used exclusively for non-commercial recreational purposes may be classified by general law and assessed solely on the basis of character or use.

(b) Pursuant to general law tangible personal property held for sale as stock in trade and livestock may be valued for taxation at a specified percentage of its value.

**SECTION 5. Estate, inheritance and income taxes.**—No tax upon estates or inheritances or upon the income of residents or citizens of the state shall be levied by the state, or under its authority, in excess of the aggregate of amounts which may be allowed to be credited upon or deducted from any similar tax levied by the United States or any state.

#### SECTION 6. Homestead exemptions.—

(a) Every person who has the legal or equitable title to real estate and maintains thereon the permanent residence of the owner, or another legally or naturally dependent upon the owner, shall be exempt from taxation thereon, except assessments for special benefits, up to the assessed valuation of five thousand dollars, upon establishment of right thereto in the manner prescribed by law. The real estate may be held by legal or equitable title, by the entireties, jointly, in common, as a condominium, or indirectly by stock ownership or membership representing the owner's or member's proprietary interest in a corporation owning a fee or a leasehold initially in excess of ninety-eight years.

(b) Not more than one exemption shall be allowed any individual or family unit or with respect to any residential unit.

No exemption shall exceed the value of the real estate assessable to the owner or, in case of ownership through stock or membership in a corporation, the value of the proportion which his interest in the corporation bears to the assessed value of the property.

(c) By general law and subject to conditions specified therein, the exemption may be increased up to an amount not exceeding ten thousand dollars of the assessed value of the real estate if the owner has attained age sixty-five or is totally and permanently disabled.

**SECTION 7. Allocation of pari-mutuel taxes.**—Taxes upon the operation of pari-mutuel pools may be preempted to the state or allocated in whole or in part to the counties. When allocated to the counties, the distribution shall be in equal amounts to the several counties.

**SECTION 8. Aid to local governments.**—State funds may be appropriated to the several counties, school districts, municipalities or special districts upon such conditions as may be provided by general law.

**SECTION 9. Local taxes.**—

(a) Counties, school districts, and municipalities shall, and special districts may, be authorized by law to levy ad valorem taxes and may be authorized by general law to levy other taxes, for their respective purposes, except ad valorem taxes on intangible personal property and taxes prohibited by this constitution.

**SECTION 10. Pledging credit.**—Neither the state nor any county, school district, municipality, special district, or agency of any of them, shall become a joint owner with, or stockholder of, or give, lend or use its taxing power or credit to aid any corporation, association, partnership or person; but this shall not prohibit laws authorizing:

(a) the investment of public trust funds;

(b) the investment of other public funds in obligations of, or insured by, the United States or any of its instrumentalities;

(c) the issuance and sale by any county, municipality, special district or other local governmental body of (1) revenue bonds to finance or refinance the cost of capital projects for airports or port facilities, or (2) revenue bonds to finance or refinance the cost of capital projects for industrial or manufacturing plants to the extent that the interest thereon is exempt from income taxes under the then existing laws of the United States, when, in either case, the revenue bonds are payable solely from revenue derived from the sale, operation or leasing of the projects. If any project so financed, or any part thereof, is occupied or operated by any private corporation, association, partnership or person pursuant to contract or lease with the issuing body, the property interest created by such contract or lease shall be subject to taxation to the same extent as other privately owned property.

**SECTION 11. State bonds; revenue bonds.**—

(a) State bonds pledging the full faith and credit of the state may be issued only to finance or refinance the cost of state capital projects upon approval by a vote of the electors; provided state bonds issued pursuant to this subsection (a) may be refunded without a vote of the electors at a lower net average interest cost rate. The total outstanding principal of state bonds issued pursuant to this subsection (a) shall never exceed fifty per cent of the total tax revenues of the state for the two preceding fiscal years.

(b) Moneys sufficient to pay debt service on state bonds as the same becomes due shall be appropriated by law.

(c) Revenue bonds may be issued by the state or its agencies without a vote of the electors only to finance or refinance the cost of state capital projects and shall be payable solely from funds derived from sources other than state tax revenues or rents or fees paid from state tax revenues.

**SECTION 12. Local bonds.**—Counties, school districts, municipalities, special districts and local governmental bodies with taxing powers may issue bonds, certificates of indebtedness or any form of tax anticipation certificates, payable from ad valorem taxation and maturing more than twelve months after issuance only:

(a) to finance or refinance capital projects authorized by law and only when approved by vote of the electors who are owners of freeholds therein not wholly exempt from taxation; or

(b) to refund outstanding bonds and interest and redemption premium thereon at a lower net average interest cost rate.

**SECTION 13. Relief from illegal taxes.**—Until payment of all taxes which have been legally assessed upon the property of the same owner, no court shall grant relief from the payment of any tax that may be illegal or illegally assessed.

Senator Askew offered the following amendment which failed:

In Section (c), line 21, page 2, strike entire section (c.) and insert the following:

(c.) For every person who qualifies for the exemption specified in subsection (a) and who is sixty-five years or older, the said exemption is increased to ten thousand dollars; provided, however, the legislature may provide by law that the adjusted gross income as defined in the United States Internal Revenue Code cannot exceed a certain amount before such additional exemption can be granted.

On motion by Senator Bell, the rules were waived and time of adjournment was extended until final action on SJR 557.

Senator Askew offered and moved the following amendment:

Line 25, page 1, after "upon the owner" insert the following:

, and who has resided in this state for at least the preceding five years

Senator Boyd raised a point of order that the joint resolution should be referred to the Committee on Ways and Means under Rule 4.6.

The President ruled that the point was not well taken because Rule 4.6 specifically referred only to bills; that constitutional amendments shall be referred to the Constitutional Amendments and Revision Committee and then a 60 percent affirmative vote of the senators is required for passage; and, based on a precedent established in the last session, if a bill has been on the calendar for several days a point of order should be made prior to the time the bill is taken up for consideration and debate.

The question recurred on the adoption of the amendment by Senator Askew and the amendment was adopted.

Senator Askew also offered the following amendment which was adopted:

Line 6, page 2, add a new sentence at the end of section (a) to read:

The five year residency required herein shall not apply to any person receiving homestead exemption at the time this amendment becomes effective.

Senator Askew also offered the following amendment which was adopted:

Line 20, page 1, strike ":", and insert the following:

, and if ratified shall become effective at midnight, December 31, 1971:

Senator Wilson offered the following amendment which failed:

Line 27, page 1, strike: "Up to the assessed valuation of five thousand dollars" and insert the following:

In an amount to be determined by general law not exceeding 5,000.

Senator Sayler offered the following amendment which failed:

Line 16, page 1, strike: entire remainder of SJR and insert the following

That the following amendment to Article VII of the State Constitution is agreed to and shall be submitted to the electors of Florida for ratification or rejection at the general election to be held in November 1970:

# ARTICLE VII FINANCE AND TAXATION

Sec.

1. Taxation; appropriations; state expenses.
2. Taxes; rate.
3. Taxes; exemptions.
4. Taxation; assessments.
5. Estate, inheritance and income taxes.
6. Homestead exemptions.
7. Allocation of pari-mutuel taxes.
8. Aid to local governments.
9. Local taxes.
10. Pledging credit.
11. State bonds; revenue bonds.
12. Local bonds.
13. Relief from illegal taxes.

## SECTION 1. Taxation; appropriations; state expenses.—

(a) No tax shall be levied except in pursuance of law. No state ad valorem taxes shall be levied upon real estate or tangible personal property. All other forms of taxation shall be preempted to the state except as provided by general law.

(b) Motor vehicles, boats, airplanes, trailers, trailer coaches and mobile homes, as defined by law, shall be subject to a license tax for their operation in the amounts and for the purposes prescribed by law, but shall not be subject to ad valorem taxes.

(c) No money shall be drawn from the treasury except in pursuance of appropriation made by law.

(d) Provision shall be made by law for raising sufficient revenue to defray the expenses of the state for each fiscal period.

**SECTION 2. Taxes; rate.**—All ad valorem taxation shall be at a uniform rate within each taxing unit, except the taxes on intangible personal property may be at different rates but shall never exceed two mills on the dollar of assessed value; provided, as to any obligations secured by mortgage, deed of trust, or other lien on real estate wherever located, an intangible tax of not more than two mills on the dollar may be levied by law to be in lieu of all other intangible assessments on such obligations.

## SECTION 3. Taxes; exemptions.—

(a) All property owned by a municipality and used exclusively by it for municipal or public purposes shall be exempt from taxation. A municipality, owning property outside the municipality, may be required by general law to make payment to the taxing unit in which the property is located. Such portions of property as are used predominantly for educational, literary, scientific, religious or charitable purposes may be exempted by general law from taxation.

(b) There shall be exempt from taxation, cumulatively, to every head of a family residing in this state, household goods and personal effects to the value fixed by general law, not less than one thousand dollars, and to every widow or person who is blind or totally and permanently disabled, property to the value fixed by general law not less than five hundred dollars.

**SECTION 4. Taxation; assessments.**—By general law regulations shall be prescribed which shall secure a just valuation of all property for ad valorem taxation, provided:

(a) Agricultural land or land used exclusively for non-commercial recreational purposes may be classified by general law and assessed solely on the basis of character or use.

(b) Pursuant to general law tangible personal property held for sale as stock in trade and livestock may be valued for taxation at a specified percentage of its value.

## SECTION 5. Homestead exemptions.—

(a) Every person who has the legal or equitable title to real estate and maintains thereon the permanent residence of the owner, or another legally or naturally dependent upon the owner, shall be exempt from taxation thereon, except assessments for special benefits, up to the assessed valuation of five thousand dollars, upon establishment of right thereto in the manner prescribed by law. The real estate may be held by legal or equitable title, by the entireties, jointly, in common, as a condominium, or indirectly by stock ownership or membership representing the owner's or member's proprietary interest in a corporation owning a fee or a leasehold initially in excess of ninety-eight years.

(b) Not more than one exemption shall be allowed any individual or family unit or with respect to any residential unit. No exemption shall exceed the value of the real estate assessable to the owner or, in case of ownership through stock or membership in a corporation, the value of the proportion which his interest in the corporation bears to the assessed value of the property.

(c) By general law and subject to conditions specified therein, the exemption may be increased up to an amount not exceeding ten thousand dollars of the assessed value of the real estate if the owner has attained age sixty-five or is totally and permanently disabled.

**SECTION 6. Allocation of pari-mutuel taxes.**—Taxes upon the operation of pari-mutuel pools may be preempted to the state or allocated in whole or in part to the counties. When allocated to the counties, the distribution shall be in equal amounts to the several counties.

**SECTION 7. Aid to local governments.**—State funds may be appropriated to the several counties, school districts, municipalities or special districts upon such conditions as may be provided by general law.

## SECTION 8. Local taxes.—

(a) Counties, school districts, and municipalities shall, and special districts may, be authorized by law to levy ad valorem taxes and may be authorized by general law to levy other taxes, for their respective purposes, except ad valorem taxes on intangible personal property and taxes prohibited by this constitution.

(b) Ad valorem taxes, exclusive of taxes levied for the payment of bonds and taxes levied for periods not longer than two years when authorized by vote of the electors who are the owners of freeholds therein not wholly exempt from taxation, shall not be levied in excess of the following millages upon the assessed value of real estate and tangible personal property: for all county purposes, ten mills; for all municipal purposes, ten mills; for all school purposes, ten mills; and for special districts a millage authorized by law approved by vote of the electors who are owners of freeholds therein not wholly exempt from taxation. A county furnishing municipal services may, to the extent authorized by law, levy additional taxes within the limits fixed for municipal purposes.

**SECTION 9. Pledging credit.**—Neither the state nor any county, school district, municipality, special district, or agency of any of them, shall become a joint owner with, or stockholder of, or give, lend or use its taxing power or credit to aid any corporation, association, partnership or person; but this shall not prohibit laws authorizing:

(a) the investment of public trust funds;

(b) the investment of other public funds in obligations of, or insured by, the United States or any of its instrumentalities;

(c) the issuance and sale by any county, municipality, special district or other local governmental body of (1) revenue bonds to finance or refinance the cost of capital projects for airports or port facilities, or (2) revenue bonds to finance or refinance the cost of capital projects for industrial or manufacturing plants to the extent that the interest thereon is exempt from income taxes under the then existing laws of the United States, when, in either case, the revenue bonds are payable solely from revenue derived from the sale, operation or leasing of the projects. If any project so financed, or any part thereof, is occupied or operated by any private corporation, association, partnership or person pursuant to contract or lease

with the issuing body, the property interest created by such contract or lease shall be subject to taxation to the same extent as other privately owned property.

#### SECTION 10. State bonds; revenue bonds.—

(a) State bonds pledging the full faith and credit of the state may be issued only to finance or refinance the cost of state capital projects upon approval by a vote of the electors; provided state bonds issued pursuant to this subsection (a) may be refunded without a vote of the electors at a lower net average interest cost rate. The total outstanding principal of state bonds issued pursuant to this subsection (a) shall never exceed fifty per cent of the total tax revenues of the state for the two preceding fiscal years.

(b) Moneys sufficient to pay debt service on state bonds as the same becomes due shall be appropriated by law.

(c) Revenue bonds may be issued by the state or its agencies without a vote of the electors only to finance or refinance the cost of state capital projects and shall be payable solely from funds derived from sources other than state tax revenues or rents or fees paid from state tax revenues.

**SECTION 11. Local bonds.**—Counties, school districts, municipalities, special districts and local governmental bodies with taxing powers may issue bonds, certificates of indebtedness or any form of tax anticipation certificates, payable from ad valorem taxation and maturing more than twelve months after issuance only:

(a) to finance or refinance capital projects authorized by law and only when approved by vote of the electors who are owners of freeholds therein not wholly exempt from taxation; or

(b) to refund outstanding bonds and interest and redemption premium thereon at a lower net average interest cost rate.

**SECTION 12. Relief from illegal taxes.**—Until payment of all taxes which have been legally assessed upon the property of the same owner, no court shall grant relief from the payment of any tax that may be illegal or illegally assessed.

On motion by Senator de la Parte, the rules were waived and SJR 557 as amended was read the third time in full.

Senator Saunders offered and moved the following amendment.

Lines 19-20, page 1, strike everything after the word "rejection" and insert the following: only after the legislature has enacted by law a method to replace the tax monies that shall be lost by the counties, school boards, and municipalities by the passage of this constitutional amendment.

Senator Pope raised a point of order that the amendment was out of order, as the constitution provides that a constitutional amendment shall be submitted to the people at the next general election following its passage by the legislature.

The Chair stated an amendment to the constitution passed by the legislature can be submitted to the people only if it is agreed to by a three-fifths vote of the membership of the legislature or if it is agreed to by a three-fourths vote as an emergency amendment which specifies a date certain for the election. The Chair ruled that the point was well taken and the amendment was out of order.

Senator Askew offered the following amendment which was adopted:

In title, line 7, page 1, after the words "providing for" insert the following: a five year residency requirement for eligibility for the first \$5,000 homestead exemption; providing for

and after the word "abled" on line 13 strike: the period and insert: ; providing exceptions and providing an effective date.

SJR 557 as further amended was read in full as follows:

**SJR 557**—A joint resolution proposing an amendment to Section 6 of Article VII of the Constitution of the State of Florida, providing for a five year residency requirement for eligibility for the first five thousand dollars (\$5,000) homestead

exemption; providing for ten thousand dollars (\$10,000) homestead exemptions for persons resident for at least the five (5) preceding years in Florida who are sixty-five (65) years of age or older or who are totally and permanently disabled; providing exceptions and providing an effective date.

*Be It Resolved by the Legislature of the State of Florida:*

That the following amendment to Section 6 of Article VII of the State Constitution is agreed to and shall be submitted to the electors of Florida for ratification or rejection at the general election to be held in November 1970, and if ratified shall become effective at midnight, December 31, 1971:

#### SECTION 6. Homestead exemptions.—

(a) Every person who has the legal or equitable title to real estate and maintains thereon the permanent residence of the owner, or another legally or naturally dependent upon the owner, and who has resided in this state for at least the preceding five years, shall be exempt from taxation thereon, except assessments for special benefits, up to the assessed valuation of five thousand dollars, upon establishment of right thereto in the manner prescribed by law. The real estate may be held by legal or equitable title, by the entireties, jointly, in common, as a condominium, or indirectly by stock ownership or membership representing the owner's or member's proprietary interest in a corporation owning a fee or a leasehold initially in excess of ninety-eight years. The five year residency required herein shall not apply to any person receiving homestead exemption at the time this amendment becomes effective.

(b) Not more than one exemption shall be allowed any individual or family unit or with respect to any residential unit. No exemption shall exceed the value of the real estate assessable to the owner or, in case of ownership through stock or membership in a corporation, the value of the proportion which his interest in the corporation bears to the assessed value of the property.

[(c) By general law and subject to conditions specified therein, the exemption may be increased up to an amount not exceeding ten thousand dollars of the assessed value of the real estate if the owner has attained age sixty-five or is totally and permanently disabled.]

(c) For every person who is sixty-five years of age or older and who has resided in this state for at least the preceding five years, the exemption specified in subsection (a) is increased to ten thousand dollars provided, however, the legislature may provide by law that adjusted gross income, as defined in the United States Internal Revenue Code, cannot exceed a certain amount before such additional exemption can be granted.

(d) For every person who is certified as totally and permanently disabled by the United States Veterans' Administration, Social Security Administration, two medical doctors, or pursuant to the Florida Workmen's Compensation Law and who has resided in this state for at least the preceding five years, the exemption specified in subsection (a) is increased to ten thousand dollars.

—and passed by the required Constitutional three-fifths vote of all members elected to the Senate and ordered engrossed. The vote was:

Yeas—38

Mr. President	Deeb	Johnson	Shevin
Askew	de la Parte	Karl	Slade
Bafalis	Fincher	Knopke	Stolzenburg
Barron	Friday	Myers	Stone
Barrow	Gong	Plante	Thomas
Beaufort	Gunter	Pope	Trask
Bishop	Haverfield	Poston	Weissenborn
Broxson	Henderson	Reuter	Williams
Chiles	Hollahan	Saunders	
Daniel	Horne	Scarborough	

Nays—8

Bell	Ducker	Ott	Weber
Boyd	Lane	Sayler	Wilson

On motion by Senator Williams, by two-thirds vote, CS for SB 587 was also referred to the Committee on Ways and Means.

## CO-INTRODUCERS

By permission, Senator de la Parte was recorded as a co-introducer of SB 179.

By permission, Senator Shevin was recorded as a co-introducer of Senate Bills 157 and 158.

By permission, Senator Deeb was recorded as a co-introducer of SB 897.

By permission, Senators Barrow, Stolzenburg, Friday, Chiles, Haverfield, Trask, Hollahan, Stone, Deeb, Askew, Johnson, Weber and Myers were recorded as co-introducers of SJR 557.

The hour of adjournment having arrived, a point of order was called and the Senate adjourned at 12:47 p.m. to reconvene at 8:30 a.m., May 1, 1970.